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Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

[1956 C.C.C. Grain Price Support Bulletin 1, Supp. 5, Wheat]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1956-Crop Wheat Re-Extended Reseal Loan Program

A re-extended reseal loan program has been announced for 1956-crop wheat. The 1956 C.C.C. Grain Price Support Bulletin 1 (21 F.R. 3997), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1956, supplemented by Supplements 1, 2, 3, and 4, Wheat (21 F.R. 4000, 5560, 6743, 8232, 8307, 22 F.R. 591, 2067 and 23 F.R. 1771), containing the specific requirements for the 1956-crop wheat price support program is hereby further supplemented as follows:

- Sec.
- 421.1676 Applicable sections of 1956 C.C.C. Grain Price Support Bulletin 1, and Supplements 1, 2, 3, and 4, Wheat.
- 421.1677 Availability.
- 421.1678 Eligible producer.
- 421.1679 Eligible wheat.
- 421.1680 Approved storage.
- 421.1681 Quantity eligible for re-extended reseal loan.
- 421.1682 Service charges.
- 421.1683 Personal liability of the producer.
- 421.1684 Storage and trackloading payments.
- 421.1685 Maturity and satisfaction.
- 421.1686 Foreclosure.
- 421.1687 Support rates, premiums and discounts.

AUTHORITY: §§ 421.1676 to 421.1687 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072 secs. 101, 401, 63 Stat. 1051; 15 U.S.C. 714c; 7 U.S.C. 1441, 1421.

§ 421.1676 Applicable sections of 1956 C.C.C. Grain Price Support Bulletin 1, and Supplements 1, 2, 3, and 4, Wheat.

The following sections of the 1956 C.C.C. Grain Price Support Bulletin 1, as

amended, and Supplements 1, 2, 3, and 4, Wheat, as amended, published in 21 F.R. 3997, 4000, 5560, 6743, 8232, 8307, 22 F.R. 591, 2067 and 23 F.R. 1771, shall be applicable to the 1956 Wheat Re-extended Reseal Loan Program: §§ 421.1601, 421.1608, 421.1611, 421.1613, 421.1614, 421.1615, 421.1617, 421.1640, 421.1656, 421.1670, and provisions regarding set-off contained in 23 F.R. 8439. Other sections of 1956 C.C.C. Grain Price Support Bulletin 1, as amended, and Supplements 1, 2, 3, and 4, Wheat, as amended, shall be applicable to the extent indicated in this subpart.

§ 421.1677 Availability.

(a) *Area and scope.* The re-extended reseal loan program will be available in the States of Colorado, Kansas, Minnesota, Nebraska, North Dakota and South Dakota where 1956-crop wheat is under extended reseal loan and the ASC State committee determines that there may be a shortage of storage space, that the wheat can be safely stored on the farm for the period of the re-extended reseal loan and that it will be advantageous to producers and CCC to permit producers to obtain re-extended reseal loans. This program provides, under certain circumstances, for the re-extension of 1956-crop wheat farm-storage reseal loans. Neither warehouse-storage loans nor purchase agreements will be available to producers under this program.

(b) *Time and source.* The producer who has an extended reseal loan on his wheat and who desires to extend such loan must make application to the county committee which approved his extended reseal loan before the final date for delivery specified in the delivery instructions issued to him by the office of the county committee.

(c) *New forms.* Where required by State law, a new producer's note and chattel mortgage shall be completed when a reseal loan is re-extended. Where new forms are not completed, re-extension of the reseal loan shall not affect the rights of CCC including its right to accelerate the note, and the rights and responsibilities of the producer as set forth in this subpart and in the original forms completed by the producer.

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FEDERAL REGISTER

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CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplements are now available:

Title 26, Parts 80-169 (\$0.20)

Parts 170-182 (\$0.20)

Title 32A (\$0.40)

Previously announced: Title 3, 1958 Supp. (\$0.35); Title 8 (\$0.35); Title 9, Rev. Jan. 1, 1959 (\$4.75); Titles 22-23 (\$0.35); Title 24, Rev. Jan. 1, 1959 (\$4.25); Title 25 (\$0.35); Title 26, Parts 1-79 (\$0.20); Titles 35-37 (\$1.25); Title 38 (\$0.55); Titles 40-42 (\$0.35); Title 46, Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Part 30 to end (\$0.30); Title 49, Parts 71-90 (\$0.70); Parts 91-164 (\$0.40)

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.

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§ 421.1678 Eligible producer.

An eligible producer shall be any individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and wherever applicable, a State, political subdivision of a State or any agency thereof, producing wheat in 1956 as landowner, landlord, tenant, or sharecropper who has an extended reseal farm-storage loan in effect on wheat of the 1956 crop. Where the county office has experienced difficulties in settling farm-storage loans with a producer, the county committee shall determine that he is not eligible for a re-extended reseal loan under this program.

§ 421.1679 Eligible wheat.

(a) *Requirements of eligibility.* The wheat (1) must be in farm storage presently under an extended reseal loan; (2) must meet the requirements set forth in § 421.1638 (a), (b), (c), and (d), and must not grade Tough, Weevily, Ergoty, or Treated.

(b) *Inspection.* If a producer makes application to extend his reseal loan, the commodity loan inspector shall, with the producer, reinspect the wheat and the farm-storage structure in which the wheat is stored, obtain a sample if the wheat and structure appear eligible, and submit the sample for grade analysis.

(c) *Determination of quality.* Quality determinations shall be made as set forth in § 421.1641.

§ 421.1680 Approved storage.

Wheat covered by any re-extended reseal loans must be stored in structures which meet the requirements for farm-storage loans as provided in § 421.1606 (a). Consent for storage for any loans extended must be obtained by the producer for the period ending May 31, 1960, if the structure is owned or controlled by someone other than the producer or if the lease expires prior to May 31, 1960.

§ 421.1681 Quantity eligible for re-extended reseal loan.

The quantity of wheat eligible for a re-extended reseal loan will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

§ 421.1682 Service charges.

When a reseal loan is re-extended, the producer will not be required to pay an additional service charge.

§ 421.1683 Personal liability of the producer.

The making of any fraudulent representation by the producer in the loan

documents, or in obtaining the loan or the conversion or unlawful disposition of any portion of the commodity by him may render the producer subject to criminal prosecution under the Federal law and shall render him personally liable for the amount of the loan (including interest at the rate of 6 percent per annum from the date of disbursement of the loan) and for any resulting expense incurred by any holder of the note. A producer shall be personally liable for any damage resulting from tendering to CCC any commodity containing mercurial compounds or other substances poisonous to man or animals which is inadvertently accepted by CCC.

§ 421.1684 Storage and track-loading payments.

(a) *Storage payment for 1958-59 storage period.* (1) A producer who re-extends his farm-storage reseal loan will at the time of re-extension of the reseal loan receive a payment for earned storage during the 1958-59 reseal loan period. This payment will be computed at the rate of 16 cents per bushel in the States of Minnesota, North Dakota and South Dakota and 17 cents per bushel in the States of Colorado, Kansas and Nebraska on the quantity of wheat held in farm-storage for the full reseal period ending March 31, 1959. The reseal storage payment will be disbursed to the producer by the office of the ASC county committee.

(2) Upon delivery of the 1956-crop wheat to CCC, the actual quantity of wheat held in farm storage under the re-extended reseal loan program will be determined by weighing. The storage payments previously made to the producer at the time the reseal loan was extended and re-extended, covering the 1957-58 and 1958-59 storage periods, will be recomputed on the basis of the actual quantity determined to have been covered by the reseal and extended reseal loan. Any amount due the producer for such storage on the quantity delivered in excess of the quantity stated in the reseal and extended reseal loan documents will be regarded as an additional credit in effecting settlement with the producer. The amount of any overpayment which is determined to have been made to the producer at the time the reseal loan was extended and re-extended shall be collected from the producer.

(3) No storage payment will be made for the 1958-59 reseal loan period where the producer has made any false representation in the loan documents or in obtaining the loan, or where during or prior to the 1958-59 reseal loan period (i) the wheat has been abandoned, (ii) there has been conversion on the part of the producer or (iii) the wheat was damaged or otherwise impaired due to negligence on the part of the producer.

(b) *Storage payment for 1959-60 storage period.* A storage payment for the 1959-60 re-extended reseal storage period will be made as follows:

(1) *Storage payment for full re-extended reseal period.* A storage payment will be made to the producer on the quantity involved if he (i) redeems the wheat from the loan on or after March 31, 1960, (ii) delivers the wheat to CCC

on or after March 31, 1960, or (iii) delivers the wheat to CCC prior to March 31, 1960, pursuant to demand by CCC for repayment of the loan solely for the convenience of CCC. Such storage payment will be computed at the rate of 16 cents per bushel in the States of Minnesota, North Dakota and South Dakota; 17 cents per bushel in the States of Colorado, Kansas and Nebraska.

(2) *Prorated storage payment.* A storage payment determined by prorating such yearly rate according to the length of time the quantity of wheat involved was in store after May 31, 1959, will be made to the producer; (i) in the case of loss assumed by CCC under the provisions of the loan program; (ii) in the case of wheat redeemed from the loan prior to March 31, 1960, and (iii) in the case of wheat delivered to CCC prior to March 31, 1960, pursuant to CCC's demand and not solely for the convenience of CCC, or upon request of the producer and with the approval of CCC. The prorated storage payment will be computed at the rate of 0.00053 per bushel a day (but not to exceed 16 cents per bushel) in the States of Minnesota, North Dakota and South Dakota; 0.00056 per bushel a day (but not to exceed 17 cents per bushel) in the States of Colorado, Kansas and Nebraska. In the case of losses assumed by CCC, the period for computing the storage payment shall end on the date of the loss; and in the case of redemptions, on the date of repayment.

(3) *No storage payments.* Notwithstanding the foregoing, in no case will any storage payment be made for the 1959-60 re-extended reseal storage period where the producer has made any false representation in the loan documents or in obtaining the loan, or where during or prior to such period (i) the wheat has been abandoned (ii) there has been conversion on the part of the producer or (iii) the wheat was damaged or otherwise impaired due to negligence on the part of the producer.

(c) *Track-loading payment.* A track-loading payment of 3 cents per bushel will be made to the producer on wheat delivered to CCC, in accordance with instructions of the county office, on track at a country point.

§ 421.1685 Maturity and satisfaction.

Re-extended reseal loans will mature on demand but not later than March 31, 1960. The producer must pay off his loan, plus interest, on or before maturity or deliver the mortgaged wheat in accordance with the instructions of the county office. If the producer desires to deliver the wheat he should, prior to maturity, give the county office notice in writing of his intention to do so. The producer may, however, pay off his loan and redeem his wheat at any time prior to delivery of the wheat to CCC or removal of the wheat by CCC. Credit will be given at the applicable settlement value according to grade and quality for the total quantity eligible for delivery. Delivery of wheat will be accepted, only from bin(s) in which the wheat under re-extended reseal loan is stored. The provisions of §§ 421.1618 (a), (c) and (d)

(2), (3), (4) and (f) and 421.1645 (a) (1) and (d) shall be applicable thereto.

§ 421.1686 Foreclosure.

If the loan (i.e. the amount of the note, interest, and charges) is not satisfied upon maturity, the holder of the note is authorized to remove the commodity from storage; and also to sell, assign, transfer, and deliver the commodity or documents evidencing title thereto at such time in such manner, and upon such terms as the holder of the note may determine, at public or private sale, either by separate contract or after pooling it with other lots of a commodity similarly held. Any such disposition may similarly be effected without removing the commodity from storage. The commodity may be processed before sale and the holder of the note may become the purchaser of the whole or any part of the commodity. If the commodity is pooled, the producer has no right of redemption after the date the pool is established but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled commodity as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers and not unduly impair the market for the current crop of the commodity even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. The holder or his agent shall pay to the producer or his personal representative only without right of assignment to or substitution of any other party, the higher of (a) any overplus remaining from the sales proceeds, or if the commodity is pooled the producer's ratable share from the liquidation of a pool, after deducting the amount of the note, interest and charges and any expenses of conducting the pool, in the case of pooled commodities; or (b) the amount by which the settlement value of the mortgaged or pledged commodity may exceed the principal amount of the loan. If a farm-stored commodity removed by CCC from storage is sold at less than the amount due on the loan (excluding interest) and the quantity, grade, or quality of the commodity as removed is lower than that on which the loan was computed, the producer shall pay to CCC the difference between the amount due on the loan and the higher of the sales proceeds or the settlement value of the commodity removed by CCC, plus interest. The settlement value shall be determined in accordance with the provisions of the applicable commodity supplement and Producer's Note and Supplemental Loan Agreement concerning settlement of commodities delivered by the producer to CCC. The amount of the deficiency may be set off against any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture, or any other payments which are due or may become due the producer from CCC, or any other agency of the United States. The term "charges" as used in this subpart means

all fees, costs, and expenses incident to insuring, carrying, handling, storing, conditioning and marketing of the commodity, and otherwise protecting the interest in the mortgaged commodity of any holder of the note or the producer, including foreclosure costs.

§ 421.1687 Support rates, premiums and discounts.

(a) The support rate for a re-extended resale loan shall remain the same as for the original loan.

(b) Any discounts or premiums established for variation in classification and quality as shown in § 421.1643(d) (3), shall be applicable in determining the settlement value.

Issued this 7th day of April 1959.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-3035; Filed, Apr. 9, 1959;
8:48 a.m.]

[1958 C.C.C. Grain Price Support Bulletin 1,
Supp. 2, Flaxseed]

**PART 421—GRAINS AND RELATED
COMMODITIES**

**Subpart—1958-Crop Flaxseed Reseal
Loan Program**

A reseal loan program has been announced for 1958-crop flaxseed. The 1958 C.C.C. Grain Price Support Bulletin 1, as amended (23 F.R. 2663, 5257, and 8043), issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1958 supplemented by supplement 1, Flaxseed (23 F.R. 3647, 6771, 8085, 8441 and 24 F.R. 2267), containing the specific requirements for the 1958-crop flaxseed price support program, is hereby further supplemented as follows:

- Sec.
421.3487 Applicable sections of 1958 C.C.C. Grain Price Support Bulletin 1, and Supplement 1, Flaxseed.
421.3488 Availability.
421.3489 Eligible producer.
421.3490 Eligible flaxseed.
421.3491 Approved storage.
421.3492 Approved forms.
421.3493 Quantity eligible for resealing.
421.3494 Additional service charges.
421.3495 Transfer of producer's equity.
421.3496 Storage and track-loading payments.
421.3497 Maturity and satisfaction.
421.3498 Support rates, premiums and discounts.

AUTHORITY: §§ 421.3487 to 421.3498 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1054; 15 U.S.C. 714c, 7 U.S.C. 1447, 1421.

§ 421.3487 Applicable sections of 1958 C.C.C. Grain Price Support Bulletin 1, and Supplement 1, Flaxseed.

The following sections of the 1958 C.C.C. Grain Price Support Bulletin 1,

and Supplement 1, Flaxseed, published in 23 F.R. 2663, 3647, 5257, 6771, 8043, 8085, 8441 and 24 F.R. 2267, shall be applicable to the 1958-Crop Flaxseed Reseal Loan Program: § 421.3001 *Administration*; § 421.3008 *Liens*; § 421.3010 *Set-offs*; § 421.3011 *Interest rate*; § 421.3013 *Safe-guarding the commodity*; § 421.3014 *Insurance on farm-storage loans*; § 421.3015 *Loss or damage to the commodity*; § 421.3016 *Personal liability of the producer*; § 421.3017 *Release of the commodity under loan*; § 421.3019 *Foreclosure*; § 421.3480 *Determination of quantity*; § 421.3481 *Determination of quality*. Other sections of the 1958 C.C.C. Grain Price Support Bulletin 1, and Supplement 1, Flaxseed, shall be applicable to the extent indicated in this subpart.

§ 421.3488 Availability.

(a) *Area and scope.* The reseal program will be available wherever flaxseed is grown in the continental United States except in Arizona and California: *Provided, however,* That such program will be available only where the ASC State committee determines that there may be a shortage of storage space, that flaxseed can be safely stored on the farm for the period of the reseal loan and that it will be advantageous to producers and CCC to permit producers to obtain reseal loans. This program provides, under certain circumstances, for the extension of 1958-crop farm-storage loans and the making of farm-storage loans on 1958-crop flaxseed covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available to producers under this program.

(b) *Time.* (1) The producer who desires to participate in the reseal loan program must file an application for a farm-storage reseal loan with the office of the county committee.

(2) In the case of a farm-storage loan, the producer will be required to apply for extension of his loan before the final date for delivery specified in the delivery instructions issued to him by the office of the county committee.

(3) The producer who signed a purchase agreement on farm-stored flaxseed is required under the 1958-Crop Flaxseed Price Support Program, to notify the office of the county committee not later than March 31, 1959, if he intends to sell the flaxseed to CCC. If the producer has notified the office of the county committee, on or before March 31, 1959, of his intention to sell the flaxseed to CCC, or to participate in this program, he may obtain a reseal farm-storage loan on the flaxseed. If the producer has not requested delivery instructions, the loan documents must be executed on or before June 30, 1959.

(c) *Source and disbursement of loans.* A producer desiring to participate in the reseal loan program should make application to the office of the county committee which approved his loan or purchase agreement. Disbursements of loans completed on flaxseed covered by purchase agreements shall be made to producers by county offices by means of

sight drafts drawn on CCC within 15 days after execution of the loan documents. The drawing of a draft shall constitute disbursement. Disbursement shall not be made unless the flaxseed is in existence and in good condition. If the flaxseed was not in existence and in good condition at the time of disbursement, the total amount disbursed under the loan shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized under this subpart, the producer shall be personally liable for repayment of the amount of such excess.

§ 421.3489 Eligible producer.

An eligible producer shall be an individual, partnership, association, corporation, estate, trust, or other business enterprise, or legal entity, and whenever applicable, a State, political subdivision of a State, or any agency thereof, producing flaxseed in 1958 as landowner, landlord, tenant, or sharecropper, who either completed a farm-storage loan or signed a purchase agreement covering flaxseed of the 1958 crop. In the case of joint loans, each person signing the note shall be held jointly and severally responsible for the loan. Where the county office has experienced difficulties in settling farm-storage loans with a producer, the county committee shall determine that he is not eligible for a reseal loan under this program.

§ 421.3490 Eligible flaxseed.

(a) *Requirements of eligibility.* The flaxseed (1) must meet the requirements set forth in § 421.3478 (a) and (b) of 1958 C.C.C. Grain Price Support Bulletin 1, Supplement 1, Flaxseed; (2) must grade No. 1 or No. 2; (3) must not contain mercurial compounds or other substances poisonous to men or animals; and (4) must be in farm storage under price support loan or purchase agreement.

(b) *Inspection—(1) Farm-storage loans extended.* If a producer makes application to extend his farm-storage loan, the commodity loan inspector shall inspect the flaxseed and the storage structure in which the flaxseed is stored, obtain a sample if the flaxseed and structure appear eligible, and submit it for grade analysis.

(2) *Flaxseed covered by purchase agreement.* If a producer makes application for a farm-storage loan on flaxseed covered by a purchase agreement, the commodity loan inspector shall inspect the flaxseed and storage structure, obtain a sample if the flaxseed and structure appear eligible, and proceed in the regular manner for the inspection of a commodity to be placed under loan.

§ 421.3491 Approved storage.

Flaxseed covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 421.3006(a). Consent for storage for any loans extended or new loans completed must be obtained

by the producer for the period ending May 31, 1960, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to May 31, 1960.

§ 421.3492 Approved forms.

(a) The approved forms, which together with the provisions of this subpart govern the rights and responsibilities of the producer, shall consist of Producer's Note and supplemental Loan Agreement, secured by a Commodity Chattel Mortgage and such other forms and documents as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law. Loan documents executed by an administrator, executor or trustee will be acceptable only where legally valid.

(b) Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended. Where new forms are not completed, extension of the farm storage loan shall not affect the rights of CCC, including its right to accelerate the note, and the rights and responsibilities of the producer as set forth in this subpart and in the original approved forms completed by the producer.

§ 421.3493 Quantity eligible for resealing.

(a) The quantity of flaxseed eligible for reseal on an extended farm-storage loan shall be in store and shall be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

(b) A producer may obtain a loan on the quantity in store which is not in excess of the quantity of flaxseed specified in the purchase agreement, minus any quantity of the flaxseed under such purchase agreement (1) which has been previously placed under loan or (2) on which he exercises his option to sell to CCC.

§ 421.3494 Additional service charges.

(a) When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

(b) At the time a farm-storage loan is made to the producer on flaxseed covered by a purchase agreement, the producer shall pay an additional service charge of $\frac{1}{2}$ cent per bushel on the number of bushels placed under loan or \$1.50 whichever is greater. No refund of service charges will be made, except if the amount collected is in excess of the correct amount.

§ 421.3495 Transfer of producer's equity.

The producer shall not transfer either his remaining interest in or his right to redeem the flaxseed mortgaged as security for a loan under this program nor shall anyone acquire such interest or right. Subject to the provisions of § 421.3017 regarding the partial redemption of farm-storage loans, a producer

who wishes to liquidate all or part of his loan by contracting for the sale of the flaxseed must obtain written prior approval of the county office on Commodity Loan Form 12 to remove the flaxseed from storage when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

§ 421.3496 Storage and track-loading payments.

(a) *Storage payment.* A reseal storage payment will be made as follows:

(1) *Storage payment for full reseal period.* A storage payment in line with the Uniform Grain Storage Agreement rates will be made to the producer on the quantity involved if he (i) redeems flaxseed from the loan on or after March 31, 1960, (ii) delivers flaxseed to CCC on or after March 31, 1960, or (iii) delivers flaxseed to CCC prior to March 31, 1960, pursuant to demand by CCC for repayment of the loan solely for the convenience of CCC. Such storage payment in all States where the program is made available will be computed at the rate of 18 cents per bushel (gross weight basis).

(2) *Prorated storage payment.* A storage payment determined by prorating the yearly rate according to the length of time the quantity of flaxseed involved was in store after May 31, 1959, will be made to the producer (i) in the case of loss assumed by CCC under the provisions of the loan program, (ii) in the case of flaxseed redeemed from the reseal loan prior to March 31, 1960, and (iii) in the case of flaxseed delivered to CCC prior to March 31, 1960, pursuant to CCC's demand and not solely for the convenience of CCC, or upon request of the producer and with the approval of CCC. The prorated storage payment will be computed at the rate of \$0.00859 per bushel (gross weight basis) per day (but not to exceed 18 cents per bushel) in all States. In the case of losses assumed by CCC, the period for computing the storage payment shall end on the date of the loss, and in the case of redemptions, on the date of repayment.

(3) *No storage payments.* Notwithstanding the provision of this paragraph, in no case will any storage payment be made where the producer has made any false representation in the loan documents or in obtaining the loan, where the flaxseed has been abandoned, where there has been conversion on the part of the producer, or where there otherwise is loss or damage to the flaxseed delivered to CCC and such loss or damage is not assumed by CCC but is the responsibility of the producer as provided in § 421.3015.

(b) *Track-loading payment.* A track-loading payment of 3 cents per bushel will be made to the producer on flaxseed delivered to CCC in accordance with instructions of the county office, on track at a country point.

§ 421.3497 Maturity and satisfaction.

Loans will mature on demand but not later than March 31, 1960. The producer must pay off his loan, plus interest, on or before maturity or deliver the mortgaged flaxseed in accordance with the instructions of the county office. If the producer desires to deliver the flaxseed he should, prior to maturity, give the county office notice in writing of his intention to do so. The producer may, however, pay off his loan and redeem his flaxseed at any time prior to the delivery of the flaxseed to CCC or removal of the flaxseed by CCC. Credit will be given at the applicable settlement value according to grade and quality for the total quantity eligible for delivery. Delivery of flaxseed will be accepted only from the structure(s) in which the flaxseed under reseal loan is stored. The provisions of § 421.3018 (a) and (d), and of § 421.3486 (a) (1), (b) (2), (3), and (4), (e), (g), and (h) shall be applicable thereto.

§ 421.3498 Support rates, premiums and discounts.

(a) The support rate for an extended farm-storage loan shall remain the same as for the original loan and the support rate for flaxseed covered by a purchase agreement placed under a farm-storage loan shall be the support rate established for the flaxseed in § 421.3483 (c).

(b) Any discounts or premiums established for variation in grade and quality as shown in § 421.3483 (d), (e) and (f), shall apply.

Issued this 7th day of April 1959.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-3036; Filed, Apr. 9, 1959;
8:48 a.m.]

Title 14—CIVIL AVIATION

Chapter II—Federal Aviation Agency

[Amdt. 112]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Los Fresnos FM	BRO-LFR (Final)	Direct	700	T-dn	300-1	300-1	200-1/2
Brownsville VOR	BRO-LFR	Direct	1200	C-dn	400-1	500-1	500-1 1/2
				S-dn-17R	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn W side N crs, 334° Outbnd, 154° Inbnd, 1200' within 10 miles. Beyond 10 miles NA.

Minimum altitude over facility on final approach crs, 700'.

Crs and distance, facility to airport, 155°-2.0.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.0 mi, climb to 1200' on S crs within 5 miles or, when directed by ATC, turn left, climbing to 1200' on E crs within 20 miles.

CAUTION: 156' water tank 0.5 mi W of airport.

City, Brownsville; State, Tex.; Airport Name, Rio Grande Valley International; Elev., 22'; Fac. Class, SBRAZ; Ident., BRO; Procedure No. 1, Amdt. 9; Eff. Date, 2 May 59; Sup. Amdt. No. 8; Dated, 4 Feb. 58

				T-dn	300-1	300-1	NA
				C-dn	700-1	700-1	NA
				A-dn	800-2	800-2	NA

Procedure turn N side E crs, 063° Outbnd, 248° Inbnd, 1000' within 10 mi.

Minimum altitude over facility on final approach crs, 700'.

Crs and distance, facility to airport, 019°-1.8.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mi, reverse crs, climb to 1500' on E crs within 20 mi.

SHUTTLE: To 1500' on E crs within 20 mi.

MAJOR CHANGE: Adds minimums omitted in publication of July 12, 1957, FEDERAL REGISTER.

City, Imperial; State, Calif.; Airport Name, County; Elev., 53'; Fac. Class, SBMLZ; Ident., ELC; Procedure No. 1, Amdt. 2; Eff. Date, 2 May 59; Sup. Amdt. No. 1; Dated, 5 Jan. 57

LWT-VOR	LWT-LFR	Direct	6000	T-dn	300-1	300-1	300-1
Stanford FM	LWT-LFR	Direct	6000	C-dn	700-2	700-2	700-2
				S-dn-7	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn S side W crs, 263° Outbnd, 088° Inbnd, 6000' within 10 miles.

Minimum altitude over facility on final approach crs, 5000'.

Crs and distance, facility to airport, 091°-2.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.6 miles, turn right climb to 6000' on W crs of LWT-LFR within 20 miles.

City, Lewistown; State, Mont.; Airport Name, Lewistown; Elev., 4154'; Fac. Class, SBRAZ; Ident., LWT; Procedure No. 1, Amdt. 6; Eff. Date, 2 May 59; Sup. Amdt. No. 5; Dated, 12 July 58

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
BHM LFR	LOM	Direct	2600	T-dn	300-1	300-1	*200-1/2
BHM VOR	LOM	Direct	2000	C-dn	800-1	900-1	900-1 1/2
Chelsea Int	LOM	Direct	2600	S-dn	600-1	600-1	600-1
Leeds Int	LOM	Direct	2600	A-dn	1000-2	1000-2	1000-2
Bessemer Int	LOM (Final)	Direct	2000				

Radar Terminal Area Transition Altitudes: 0-360° within 15 miles, 2500'; within 15-25 miles, 3500'. Radar control must provide 3 miles separation from tower 1532' MSL located 4 miles SW of airport or maintain 2600'.

Procedure turn N side SW crs, 232° Outbnd, 052° Inbnd, 2000' within 10 miles. (Nonstandard due obstruction.)

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 052°-4.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, (1) climb to 2500' on crs of 052° within 15 miles or, when directed by ATO, (2) climb to 2500' on N crs BHM LFR within 20 miles or (3) turn left, climb to 2000' and proceed to BHM VOR.

AIR CARRIER NOTE: Sliding scale NA.

*Runways 5 and 23 only.

City, Birmingham; State, Ala.; Airport Name, Municipal; Elev., 643'; Fac. Class, LOM; Ident., BH; Procedure No. 1, Amdt. 12; Eff. Date, 2 May 59; Sup. Amdt. No. 11 (ADF portion of Comb. ILS-ADF); Dated, 2 Nov. 57

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
HLG VOR.....	HLG RBn.....	Direct.....	2600	T-dn.....	300-1	300-1	200-1½
				C-dn.....	600-1	700-1	700-1½
				S-dn-3.....	500-1	500-1	500-1
				A-dn.....	1000-2	1000-2	1000-2
					(BCOB)	(BCOB)	(BCOB)

Procedure turn East side of crs, 210° Outbnd, 030° Inbnd, 2600' within 10 mi of HLG-RBn.

Minimum altitude over facility on final approach crs, 2100'.

Crs and distance, facility to airport, 030°—4.0 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing RBn, make climbing left turn to 2600' or higher as directed by ATC, and return to HLG-RBn.

Air Carrier Note: Night operations on Runway 9-27 and takeoffs on Runway 9 not authorized for aircraft over 12,500 lbs. gross weight.

Note: High intensity runway lights on 3-21.

City, Wheeling; State, W. Va.; Airport Name, Ohio County; Elev., 1195'; Fac. Class, MHW; Ident., HLG; Procedure No. 1, Amdt. 1; Eff. Date, 2 May 59; Sup. Amdt. No. Orig. (ADF portion of Comb. ILS-ADF); Dated, 27 Nov. 53

Augusta VOR.....	LOM.....	Direct.....	1800	T-dn.....	300-1	300-1	200-1½
Augusta LFR.....	LOM.....	Direct.....	1700	C-dn.....	600-2	600-2	600-2
City Int.....	LOM.....	Direct.....	1600	S-dn-35.....	400-1	400-1	400-1
Sardis Int.....	LOM.....	Direct.....	1500	A-dn.....	800-2	800-2	800-2

Procedure turn West side of S crs, 168° Outbnd, 345° Inbnd, 1500' within 10 mi. (Nonstandard due to prohibited area.)

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 345°—4.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing LOM, climb to 2000' on crs of 345° within 15 miles or, when directed by ATC, turn left and climb to 1800' on W crs AGS-LFR within 20 miles of LFR.

#300-1 required on Runway 26.

City, Augusta; State, Ga.; Airport Name, Bush Field; Elev., 142'; Fac. Class, LOM; Ident., AG; Procedure No. 1, Amdt., 6; Eff. Date, 2 May 59; Sup. Amdt. No. 5 (ADF portion of Comb. ADF/ILS); Dated, 14 June 58

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Brownsville LFR.....	BRO-VOR.....	Direct.....	1200	T-dn.....	300-1	300-1	200-1½
Los Fresnos FM.....	BRO-VOR.....	Direct.....	1200	C-dn.....	400-1	500-1	500-1½
Brownsville LOM.....	BRO-VOR.....	Direct.....	1200	S-dn-26.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 062° Outbnd, 242° Inbnd, 1200' within 10 mi. Beyond 10 mi NA.

Minimum altitude over facility on final approach crs, 600'.

Crs and distance, facility to airport, 242°—2.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 mi, climb to 1200' on R-282 within 20 mi. or, when directed by ATC, turn right, climb to 1200' on R-330 within 10 mi.

CAUTION: 156' water tank 0.5 mi. W of airport.

City, Brownsville; State, Tex.; Airport Name, Rio Grande Valley International; Elev., 22'; Fac. Class, BVOR; Ident., BRO; Procedure No. 1, Amdt. 3; Eff. Date, 2 May 59; Sup. Amdt. No. 2; Dated, 5 May 56

Stanford FM.....	LWT-VOR.....	Direct.....	6000	T-dn.....	300-1	300-1	300-1
Lewistown LFR.....	LWT-VOR.....	Direct.....	6000	C-dn.....	700-2	700-2	700-2
				S-d-Rny 7.....	600-1	600-1	600-1
				A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 271° Outbnd, 091° Inbnd, 6000' within 10 miles.

Minimum altitude over facility on final approach crs, 5000'.

Crs and distance, facility to airport, 072°—5.4.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles, turn right, climb to 6000' on R-271 within 20 miles.

City, Lewistown; State, Mont.; Airport Name, Lewistown; Elev., 4154'; Fac. Class, BVOR; Ident., LWT; Procedure No. 1, Amdt. 2; Eff. Date, 2 May 59; Sup. Amdt. No. 1; Dated, 12 July 59

Phillipsburg LFR.....	PSB-VOR.....	Direct.....	4000	T-dn.....	500-1	500-1	NA
Tyrone VOR.....	PSB-VOR.....	Direct.....	4000	C-dn.....	800-1	800-1	NA
				C-n.....	800-2	800-2	NA
				A-dn.....	1000-2	1000-2	NA

Procedure turn N side of crs, 073° Outbnd, 253° Inbnd, 3500' within 10 miles.

Minimum altitude over facility on final approach crs, 3500'.

Crs and distance, facility to airport, 253°—4.4.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles, make a right climbing turn and return to Phillipsburg omni at 4000'.

City, Phillipsburg; State, Pa.; Airport Name, Municipal; Elev., 1933'; Fac. Class, BVOR; Ident., PSB; Procedure No. 1, Amdt. 3; Eff. Date, 2 May 59; Sup. Amdt. No. 2; Dated, 7 Feb. 59

RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
SJP RBN	VOR	Direct	1500	T-dn	300-1	300-1	200-1½
SJU HH	VOR	Direct	1500	C-dn	600-1	600-1	600-1½
Isla Verde Int	VOR (Final)	Direct	600	A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 094° Outbnd, 274° Inbnd, 1000' within 10 mi.

Minimum altitude over facility on final approach crs, 600'.

Crs and distance, facility to airport, 274°—0.3 mi.

CAUTION: 330' radio tower 1.9 mi South of airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mi of VOR, turn right, climb to 2000' on R-353 within 20 mi or, when directed by ATC, turn right, climb to 1500' on R-094 within 20 mi.

City, San Juan; State, P.R.; Airport Name, San Juan International; Elev., 9'; Fac. Class, VOR; Ident., SJU; Procedure No. 1, Amdt. 1; Eff. Date, 2 May 59; Sup. Amdt. No. Orig.; Dated, 27 Dec. 58

4. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Augusta VOR	LOM	Direct	1800	T-dn	300-1	300-1	#200-1½
Augusta LFR	LOM	Direct	1700	C-dn	600-2	600-2	600-2
City Int	LOM	Direct	1600	S-dn-35	*200-1½	*200-1½	*200-1½
Sardis Int	LOM	Direct	1500	A-dn	600-2	600-2	600-2

Procedure turn W side S crs 163° Outbnd, 348° Inbnd, 1500' within 10 mi. (Non-standard due to prohibited area.)

Minimum altitude at G.S. int inbnd, 1500'.

Altitude of G.S. and distance to approach end of rwy at OM 1470—4.3; at MM 332—0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2000' on N crs ILS (348°) within 20 miles or, when directed by ATC, turn left and climb to 1800' on W crs AGS LFR within 20 miles or, turn left, climb to 2000' and proceed direct to AGS VOR.

MAJOR CHANGE: Deletes no approach lights note.

#360-1 required on Runway 26.

*400-¾ required with glide slope inoperative.

City, Augusta; State, Ga.; Airport Name, Bush; Elev., 142'; Fac. Class, ILS; Ident., IAGS; Procedure No. ILS-35, Amdt. 6; Eff. Date, 2 May 59; Sup. Amdt. No. 5 (ILS portion of comb. ILS-ADF); Dated, 14 June 58

BHM LFR	LOM	Direct	2600	T-dn	300-1	300-1	*200-1½
BHM VOR	LOM	Direct	2000	C-dn	800-1	900-1	900-1½
Chelsea Int	LOM	Direct	2600	S-dn-5	*300-¾	*300-¾	*300-¾
Bessemer Int	LOM (Final)	Direct	2000	A-dn	1000-2	1000-2	1000-2
Leeds Int	LOM	Direct	2600				

Radar Terminal Area Transition Altitudes: 0-360° within 15 miles, 2500'; 0-360° within 15-25 miles, 3500'. Radar control must provide 3 miles separation from tower 1582' MSL located 4 miles SW of airport or maintain 2600'.

Procedure turn N side of SW crs, 232° Outbnd, 052° Inbnd, 2000' within 10 mi. (Non-standard to avoid obstructions.)

Minimum altitude at G.S. int inbnd, 2000'.

Altitude of G.S. and distance to approach end of rwy at OM, 2000'—4.5 mi; at MM, 815'—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000', turn right and proceed to Leeds Int via BHM VOR R-115 or, when directed by ATC, turn left, climb to 2000' and proceed to BHM VOR or climb to 2500' on crs of 052° from LOM within 15 mi.

Air Carrier Note: Sliding scale NA.

**Runway 5/23 only.

*No approach lights installed. 400-¾ required when G/S inoperative.

City, Birmingham; State, Ala.; Airport Name, Municipal; Elev., 643'; Fac. Class, ILS; Ident., IBHM; Procedure No. ILS-5, Amdt. 12; Eff. Date, 2 May 59; Sup. Amdt. No. 11 (ILS portion of comb. ILS-ADF); Dated, 2 Nov. 57

Fargo VOR	LOM	Direct	2300	T-dn	300-1	300-1	200-1½
Fargo LFR	LOM	Direct	2300	C-dn	500-1	500-1	500-1½
Rice Int	LOM (Final)	Direct	2100	S-dn-35	200-1½	200-1½	200-1½
Barnesville FM	LOM	Direct	2300	A-dn	600-2	600-2	600-2
Glyndon FM	LOM	Direct	2300				
FAR-VOR	Int VOR R-025 and IFAR Localizer		025—3.0				
Int VOR R-025 and IFAR Localizer	LOM (Final)		351—2.6				

Procedure turn E side of crs, 171° Outbnd, 351° Inbnd, 2300' within 10 miles.

Minimum altitude at G.S. int inbnd, 2100'.

Altitude of G.S. and distance to approach end of rwy at OM 2092—4.1, at MM 1105—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb on N crs Fargo ILS to 2300' within 10 mi. or when directed by ATC: 1. Make left climbing turn, climb to 2700' on W crs Fargo LFR within 20 miles. 2. Make left climbing turn to intercept FAR-VOR R-281, climb to 2300' within 20 mi. of FAR-VOR.

CAUTION: Unpainted smoke stack 1075' MSL 1.0 mi. SSE of airport. 969' MSL stack 0.2 mi. S of MM.

Note: Narrow localizer course—4°.

*400-¾ required when glide slope inoperative; 400-1 when only localizer and OM or compass locator can be received.

*Int FAR-VOR R-116 and IFAR ILS.

City, Fargo; State, N. Dak.; Airport Name, Hector; Elev., 900'; Fac. Class, ILS; Ident., IFAR; Procedure No. ILS-35, Amdt. 12; Eff. Date, 2 May 59; Sup. Amdt. No. 11; Dated, 4 Apr. 59

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lubbock VOR.....	LOM.....	Direct.....	4500	T-dn.....	300-1	300-1	200-1/2
Lubbock LFR.....	LOM.....	Direct.....	4500	C-dn.....	400-1	500-1	500-1/2
Roundup FM.....	LOM.....	Direct.....	4500	S-dn-17.....	200-1/2	200-1/2	200-1/2
Int R-018 LBB and N crs ILS.....	LOM.....	Direct.....	4500	A-dn.....	600-2	600-2	600-2
Int E crs LBB LFR and N crs ILS.....	LOM.....	Direct.....	4500				
Int R-114 LBB and N crs ILS.....	LOM.....	Direct.....	4500				

Procedure turn E side N crs, 349° Outbnd, 169° Inbnd, 4500' within 10 mi. Beyond 10 mi NA.

Minimum altitude at G.S. int inbnd, 4500'.

Altitude of G.S. and distance to approach end of rwy at OM 4500—4.1, at MM 3490—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 5100' on S crs ILS (169°) within 20 miles or, when directed by ATC, turn left, climb to 4500' on E crs LBB LFR within 20 miles, or climb to 4500' on R-110 LBB within 20 mi.

CAUTION: 4067' MSL tower 7.5 miles S of airport on missed approach.

NOTES: Narrow localizer course—4 degrees.

MAJOR CHANGE: Deleted no approach lights note.

City, Lubbock; State, Tex.; Airport Name, Municipal; Elev., 3256'; Fac. Class, ILS; Ident., I-LBB; Procedure No. ILS-17, Amdt. 6; Eff. Date, 2 May 59; Sup. Amdt. No. 5; Dated, 3 Jan. 59

Wheeling VOR.....	LOM.....	Direct.....	2600	T-dn.....	300-1	300-1	200-1/2
				C-dn.....	600-1	700-1	700-1/2
				S-dn-3°.....	300-1/2	300-1/2	300-1/2
				A-dn.....	600-2	600-2	600-2

Procedure turn E side crs 210° Outbnd, 030° Inbnd, 2600' within 10 miles of the LOM.

Minimum altitude at G.S. int inbnd, 2300'.

Altitude of G.S. and distance to approach end of rwy at OM, 2270'—4.0 mi; at MM, 1360'—0.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make a climbing left turn to 2600' or higher as directed by ATC and return to the LOM.

AIR CARRIER NOTE: Night operations on Runway 9-27 and takeoffs on Runway 9 NA for aircraft over 12,500 lbs. gross weight.

NOTE: High intensity runway lights on 3-21.

*500-1/2 required with glide slope inoperative.

City, Wheeling; State, W. Va.; Airport Name, Ohio County; Elev., 1195'; Fac. Class, ILS; Ident., HLG; Procedure No. ILS-3, Amdt. 1; Eff. Date, 2 May 59; Sup. Amdt. No. Orig. (ILS portion of Comb. ILS-ADF); Dated, 27 Nov. 53

5. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	300-1	300-1	200-1/2
				C-dn.....	500-1	500-1	500-1/2
				S-dn-12, 30.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar transitions and vectoring utilizing Davis-Monthan Radar are authorized in accordance with approved Radar patterns.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 6000' on West crs LFR within 15 miles or climb to 6000' on R-260 VOR within 20 mi of LFR Z.

City, Tucson; State, Ariz.; Airport Name, Municipal; Elev. 2630'; Fac. Class and Ident., Davis-Monthan Radar; Procedure No. 1, Amdt. Orig.; Eff. Date, 2 May 59

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 313(a), 72 Stat. 752; 49 U.S.C. 1354(a). Interpret or apply sec. 307, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 7, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-3062; Filed, Apr. 9, 1959; 8:54 a.m.]

Title 7—AGRICULTURE

Chapter 1—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 29—TOBACCO INSPECTION

Subpart C—Standards

A notice of proposed rulemaking covering issuance of United States Official Standard Grades for Maryland Broadleaf Tobacco was published in the FEDERAL REGISTER of March 4, 1959 (24 F.R. 1586), and afforded interested persons the opportunity to submit written data, views, or arguments in connection therewith. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice of rulemaking, the following United States Official Standard Grades for Maryland Broadleaf Tobacco are hereby promulgated under the authority contained in The Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.) to become effective upon publication in the FEDERAL REGISTER.

It is hereby found that good cause exists for making the official standard grades effective upon publication in the FEDERAL REGISTER for the reason that the Maryland tobacco markets open April 28, 1959, for sales of the 1958 crop, which date is less than 30 days of the date hereof, and it is necessary that they be effective on such date for utilization in the official inspection of such tobacco sold at auction. Furthermore, the earliest possible effective date will be of benefit to the industry and to the inspection service in order that greater time will be afforded for the study of such official standards to assure uniform application.

These standards are approximately the same as published under proposed rulemaking. For the purpose of clarification slight changes in wording were made in several sections.

These official standard grades are as follows:

1. Renumber § 29.601 of Subpart D as § 29.8001.
2. Renumber § 29.701 of Subpart E as § 29.9001.
3. Insert in Subpart C of Title 29 immediately after § 29.582 the following:

OFFICIAL STANDARD GRADES FOR MARYLAND BROADLEAF TOBACCO (U.S. TYPE 32)

DEFINITIONS

Sec.	
29.3251	Definitions.
29.3252	Air-cured.
29.3253	Air-dried.
29.3254	Body.
29.3255	Brown color (D).
29.3256	Cherry color (F).
29.3257	Class.
29.3258	Clean.
29.3259	Color.
29.3260	Color intensity.
29.3261	Color symbols.
29.3262	Condition.
29.3263	Crude.
29.3264	Cured.
29.3265	Damage.

Sec.	
29.3266	Dirty.
29.3267	Elements of quality.
29.3268	Fiber.
29.3269	Finish.
29.3270	Foreign matter.
29.3271	Form.
29.3272	Grade.
29.3273	Grademark.
29.3274	Green (G).
29.3275	Greenish (V).
29.3276	Group.
29.3277	Injury.
29.3278	Leaf scrap.
29.3279	Leaf structure.
29.3280	Leaf surface.
29.3281	Length.
29.3282	Lot.
29.3283	Mahogany color (R).
29.3284	Maryland Broadleaf, Type 32.
29.3285	Maturity.
29.3286	Nested.
29.3287	No grade.
29.3288	Offtype.
29.3289	Oil.
29.3290	Order (case).
29.3291	Package.
29.3292	Packing.
29.3293	Prematurity.
29.3294	Quality.
29.3295	Raw.
29.3296	Rework.
29.3297	Semicured.
29.3298	Side.
29.3299	Sound.
29.3300	Special factor.
29.3301	Steam-dried.
29.3302	Stem.
29.3303	Stemmed.
29.3304	Strength (tensile).
29.3305	Strips.
29.3306	Subgrade.
29.3307	Sweated.
29.3308	Sweating.
29.3309	Tan color (L).
29.3310	Tobacco.
29.3311	Tobacco products.
29.3312	Type.
29.3313	Undried.
29.3314	Uniformity.
29.3315	Unsound (U).
29.3316	Unstemmed.
29.3317	Upper Country.
29.3318	Variegated (K).
29.3319	Wet (W).
29.3320	Width.

ELEMENTS OF QUALITY

29.3351	Elements of quality and degrees of each element.
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RULES

29.3353	Rules.
29.3354	Rule 1.
29.3355	Rule 2.
29.3356	Rule 3.
29.3357	Rule 4.
29.3358	Rule 5.
29.3359	Rule 6.
29.3360	Rule 7.
29.3361	Rule 8.
29.3362	Rule 9.
29.3363	Rule 10.
29.3364	Rule 11.
29.3365	Rule 12.
29.3366	Rule 13.
29.3367	Rule 14.
29.3368	Rule 15.
29.3369	Rule 16.
29.3370	Rule 17.
29.3371	Rule 18.
29.3372	Rule 19.
29.3373	Rule 20.
29.3374	Rule 21.
29.3375	Rule 22.

GRADES

29.3401	Ground Leaves (P group).
29.3402	Seconds (X group).
29.3403	Bright-crop or Thin-crop (C group).
29.3404	Dull-crop or Heavy-crop (B group).

Sec.	
29.3405	Tips (T group).
29.3406	Nondescript (N group).
29.3407	Scrap (S group).

AUTHORITY: §§ 29.3251 to 29.3407 issued under 49 Stat. 734; 7 U.S.C. 511m.

DEFINITIONS

§ 29.3251 Definitions.

As used in these standards, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

§ 29.3252 Air-cured.

Tobacco cured under natural atmospheric conditions. Artificial heat is sometimes used to control excess humidity during the curing period to prevent house-burn and barn-burn in damp weather. Air-cured tobacco should not carry the odor of smoke or fumes resulting from the application of artificial heat.

§ 29.3253 Air-dried.

The condition of unfermented tobacco as customarily prepared for storage under natural atmospheric conditions.

§ 29.3254 Body.

The thickness and density of a leaf or weight per unit of surface. (See Elements of quality.)

§ 29.3255 Brown color (D).

A dun, murky or dark chocolate-brown.

§ 29.3256 Cherry color (F).

A light or bright red shaded toward tan.

§ 29.3257 Class.

A major division of tobacco based on characteristics caused by varieties, soils, or climatic conditions, or by the method of cultivation, harvesting, or curing.

§ 29.3258 Clean.

Tobacco is described as clean when it contains only a normal amount of sand or soil particles. Leaves grown on the lower portion of the stalk normally contain more sand or dirt than those from higher stalk positions. (See rule 19.)

§ 29.3259 Color.

The third factor of a grade, based on the relative hues, saturations or chroma, and color values common to the type.

§ 29.3260 Color intensity.

The varying degree of saturation or chroma. Color intensity as applied to tobacco describes the strength or weakness of a specific color or hue. It is applicable to all colors except variegated. Color intensity is reversed in its application to grades of green and greenish tobaccos and is omitted from these grade specifications. (See Elements of quality.)

§ 29.3261 Color symbols.

As applied to Maryland Broadleaf, color symbols are: L—tan, F—cherry, R—mahogany, D—brown, K—variegated, V—greenish, and G—green.

§ 29.3262 Condition.

The state of tobacco which results from the method of preparation or from

the degree of fermentation. Words used to describe the condition of tobacco are: Undried, air-dried, steam-dried, sweating, sweated, and aged. Maryland Broadleaf is air-dried or steam-dried for storage and aging.

§ 29.3263 Crude.

The lowest degree of maturity. Crude leaves are usually hard and slick as a result of extreme immaturity. A similar condition may result from sunburn or sunscald. Any leaf which is crude to the extent of 20 percent of its leaf surface may be described as crude. (See rule 18.)

§ 29.3264 Cured.

Tobacco dried of its sap by either natural or artificial processes.

§ 29.3265 Damage.

The effect of mold, must, rot, black rot, or other fungous or bacterial diseases which attack tobacco in its cured state. Tobacco having the odor of mold, must, or rot is considered damaged. (See rule 21.)

§ 29.3266 Dirty.

The state of tobacco containing an abnormal amount of sand or dirt, or tobacco to which additional quantities of dirt or sand have been added. (See rule 22.)

§ 29.3267 Elements of quality.

Elements of quality and the degrees used in the specifications of the official standard grades of Maryland Broadleaf, Type 32, are shown in § 29.3351. Words have been selected to describe the degrees of each element. Some of the words are almost synonymous in their meaning, yet, they are sufficiently different to represent steps within the range of the elements of quality to which they are applied.

§ 29.3268 Fiber.

The term applied to the veins in a tobacco leaf. The large central vein is called the midrib or stem. The smaller lateral and cross veins are considered from the standpoint of size and color and in some types are treated as elements of quality. In Maryland Broadleaf fiber size and color are not of great importance, except where a fine distinction must be made between several lots of high quality or between sides of the same lot.

§ 29.3269 Finish.

The reflectance factor in color perception. As applied to tobacco colors, it is used to describe the clearness or brightness of a color or hue. The declining degrees of reflectance are associated with increasing grayness or dinginess. Finish is applicable to all colors except variegated. (See Elements of quality.)

§ 29.3270 Foreign matter.

Any extraneous substance or material such as stalks, suckers, straw, strings, rubber bands, et cetera. Abnormal amounts of dirt or sand also are included.

§ 29.3271 Form.

The stage of preparation of tobacco such as Unstemmed or Stemmed.

§ 29.3272 Grade.

A subdivision of a type according to group and quality and to color when it is of sufficient importance to be treated as a separate factor.

§ 29.3273 Grademark.

A grademark normally consists of three symbols which indicate group, quality, and color. A letter is used to indicate group, a number to indicate quality, and a letter to indicate color. For example, C2L means Bright-crop, second quality, and tan color.

§ 29.3274 Green (G).

A color term applied to immature or crude tobacco. Any leaf which has a green color affecting 20 percent or more of its leaf surface may be described as green. (See rule 17.)

§ 29.3275 Greenish (V).

A color term applied to relatively thin underripe tobacco. Any leaf which has a greenish tinge or a pale green color affecting 20 percent or more of its surface may be described as greenish. (See rule 16.)

§ 29.3276 Group.

A division of a type covering several closely related grades based on the general quality of tobacco. Groups in Maryland Broadleaf, Type 32, are: Ground Leaves (P), Seconds (X), Bright-crop or Thin-crop (C), Dull-crop or Heavy-crop (B), Tips (T), Nondescript (N), and Scrap (S).

§ 29.3277 Injury.

Hurt or impairment from any cause except the fungous or bacterial diseases which attack tobacco in its cured state. (See definition of Damage.) Injury to tobacco may be caused by field diseases, insects, or weather conditions; insecticides or fungicides; nutritional deficiencies or excesses; or improper fertilization, harvesting, curing, or handling. Injured tobacco includes dead, burnt, hail-cut, torn, broken, frostbitten, sunburned, sunscalded, scorched, fire-killed, bulk-burnt, steam-burnt, barn-burnt, house-burnt, bleached, bruised, discolored, or deformed leaves; or tobacco affected by wildfire, rust, frog-eye, mosaic, root rot, wilt, black shank, or other diseases. (See Elements of quality and rule 14.)

§ 29.3278 Leaf scrap.

A by-product of unstemmed tobacco. Leaf scrap results from handling unstemmed tobacco and consists of loose and tangled whole or broken leaves.

§ 29.3279 Leaf structure.

The cell development of a leaf as indicated by its porosity or solidity. (See Elements of quality.)

§ 29.3280 Leaf surface.

The smoothness or roughness of the web or lamina of a tobacco leaf as it is affected by the size and shrinkage of the veins or fibers. (See Elements of quality.)

§ 29.3281 Length.

The linear measurement of cured tobacco leaves from the butt of the midrib

to the extreme tip. (See Elements of quality.)

§ 29.3282 Lot.

A pile, basket, bulk, hack, burden, or more than one bale, case, hogshedd, tierce, package, or other definite package unit.

§ 29.3283 Mahogany color (R).

A deep or dark red shaded toward brown.

§ 29.3284 Maryland Broadleaf, Type 32.

That type of air-cured tobacco also known as Southern Maryland or Maryland air-cured tobacco produced principally in southern Maryland.

§ 29.3285 Maturity.

The degree of ripeness. Tobacco is mature when it reaches its prime state of development. The extremes are expressed as crude and mellow. (See Elements of quality.)

§ 29.3286 Nested.

Any tobacco which has been loaded, packed, or arranged to conceal foreign matter or tobacco of inferior grade, quality, or condition. Nested includes: (a) Any lot of tobacco which contains foreign matter or damaged, injured, tangled, or other inferior tobacco, any of which cannot be readily detected upon inspection because of the way the lot is packed or arranged; (b) any lot of tied tobacco which contains foreign matter in the inner portions of the hands or which contains foreign matter in the heads under the tie leaves; (c) any lot of tied tobacco in which the leaves on the outside of the hands are placed or arranged to conceal inferior quality leaves on the inside of the hands or which contains wet tobacco or tobacco of lower quality in the heads under the tie leaves; (d) any lot of tobacco which consists of distinctly different grades, qualities, or conditions and which is stacked or arranged in layers with the same kinds together so that the tobacco in the lower layer or layers is distinctly inferior in grade, quality, or condition from the tobacco in the top or upper layers. (See rule 22.)

§ 29.3287 No grade.

A designation applied to a lot of tobacco indicating that it is not gradeable. Included under this classification are: Nested, offtype, rework, semicured, tobacco damaged 20 percent or more, abnormally dirty tobacco, tobacco containing foreign matter, and tobacco having an odor foreign to the type. (See rule 22.)

§ 29.3288 Offtype.

Tobacco of distinctly different characteristics which cannot be classified as Maryland Broadleaf, Type 32. Upper Country tobacco, Type 32b, is not considered as offtype. (See definitions of No grade and Upper Country and rule 22.)

§ 29.3289 Oil.

A soft, semifluid constituent of tobacco. Oil, although present in Maryland Broadleaf tobacco to a limited degree, is not considered an element of quality in

the specifications of the standard grades for this type.

§ 29.3290 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.3291 Package.

A hoghead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.3292 Packing.

A lot of tobacco consisting of a number of packages submitted as one definite unit for sampling or inspection. It is represented to contain the same kind of tobacco and has a common identification number or mark on each package.

§ 29.3293 Prematurity.

A condition of growth and development characteristic of the lower leaves of the tobacco plant. Premature leaves have some appearance of overripeness due to a process of starvation caused by translocation of plant food elements from these leaves to other leaves higher on the stalk.

§ 29.3294 Quality.

A division of a group, or the second factor of a grade, based upon the relative degree of one or more elements of quality in tobacco.

§ 29.3295 Raw.

Freshly harvested tobacco or tobacco as it appears between the time of harvesting and the beginning of the curing process.

§ 29.3296 Rework.

Any lot of tobacco which needs to be resorted or otherwise reworked to prepare it properly for market in the manner which is customary in the type area, including: (a) Tobacco which is so mixed that it cannot be classified properly in any grade of the type, because the lot contains a substantial quantity of two or more distinctly different grades which should be separated by sorting; (b) tobacco which contains an abnormally large quantity of foreign matter or an unusual number of mucky or extremely dirty leaves which should be removed; and (c) tobacco not tied in hands, not packed straight, not properly tied, or otherwise not properly prepared for market. (See definition of No grade and rule 22.)

§ 29.3297 Semicured.

Tobacco in the process of being cured or which is partially but not thoroughly cured. Semicured includes tobacco which contains fat stems, wet butts, swell stems, frozen tobacco, and tobacco having frozen stems or stems that have not been thoroughly dried in the curing process. (See rule 22.)

§ 29.3298 Side.

A certain phase of quality, color, or length as contrasted with some other phase of quality, color, or length; or any peculiar characteristic of tobacco.

§ 29.3299 Sound.

Free of damage.

§ 29.3300 Special factor.

A symbol or term authorized to be used with specified grades. Tobacco to which a special factor is applied may meet the general specifications but has a peculiar side or characteristic which tends to modify the grade. (See rule 9.)

§ 29.3301 Steam-dried.

The condition of unfermented tobacco as customarily prepared for storage by means of a redrying machine or other steam-conditioning equipment.

§ 29.3302 Stem.

The midrib or large central vein of a tobacco leaf.

§ 29.3303 Stemmed.

A form of tobacco, including strips and strip scrap, from which the stems or midribs have been removed.

§ 29.3304 Strength (tensile).

The stress a tobacco leaf can bear without tearing. Tensile strength is not an important element of quality in Maryland Broadleaf tobacco.

§ 29.3305 Strips.

The sides of a tobacco leaf from which the stem has been removed; or a lot of tobacco composed of strips.

§ 29.3306 Subgrade.

Any grade modified by a special factor symbol.

§ 29.3307 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture. This condition sometimes is described as aged.

§ 29.3308 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.3309 Tan color (L).

A light yellowish-red.

§ 29.3310 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as used in these standards, does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

§ 29.3311 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff, which is subject to Internal Revenue tax.

§ 29.3312 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical na-

ture which cannot be determined by an examination of the tobacco.

§ 29.3313 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.3314 Uniformity.

An element of quality which describes the consistency of a lot of tobacco as it is prepared for market. Uniformity is expressed in the grade specifications by words which indicate varying degrees. A fixed percentage of mixture tolerance is applied to each degree. The percentage of tolerance is applicable to group, quality, and color. (See Elements of quality and rule 13.)

§ 29.3315 Unsound (U).

Damaged under 20 percent. (See rule 21.)

§ 29.3316 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap from which the stems or midribs have not been removed.

§ 29.3317 Upper Country.

Burley strains and tobacco known as "Upper Country," which do not have the characteristics of varieties commonly grown in southern Maryland, are classified as Type 32b.

§ 29.3318 Variegated (K).

Any leaf of which 20 percent or more of its surface is yellow, gray, mottled, bleached, or stained and does not blend with the normal colors of the type or group and is characterized by a lower degree of porosity and maturity than tobacco of corresponding group and quality in the normal colors. (See rule 15.)

§ 29.3319 Wet (W).

Any sound tobacco containing excessive moisture to the extent that it is in an unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged, but which is likely to damage if treated in the customary manner. (See rule 20.)

§ 29.3320 Width.

The relative breadth of a tobacco leaf expressed in relation to its length. (See Elements of quality.)

ELEMENTS OF QUALITY

§ 29.3351 Elements of quality and degrees of each element.

These standardized words or terms are used to describe tobacco quality and assist in interpreting grade specifications. Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by the use of words or terms designated as degrees. These several degrees are arranged to show their relative value, but the actual value of each degree varies with type, group, and grade. In each case the first and last degrees represent the full range for the element, and the intermediate degrees show gradual steps between them.

Elements	Degrees					
(1) Body.....	Tissuey.....	Thin.....	Medium.....	Fleshy.....	Heavy.....	Crude.
(2) Maturity.....	Mellow.....	Ripe.....	Mature.....	Underripe.....	Immature.....	
(3) Leaf structure (porosity and solidity).....	Porous.....	Open.....	Firm.....	Compact.....	Hard.....	
(4) Leaf surface (smoothness).....	Smooth.....	Even.....	Crepy.....	Wavy.....	Wrinkly.....	Rough.
(5) Uniformity (Percentage).....	Uniform.....	Similar.....	Comparable.....	Blended.....	Mingled.....	Mixed. Under 60%.
(6) Finish.....	95%.....	90%.....	80%.....	70%.....	60%.....	
(7) Color intensity.....	Bright.....	Clear.....	Moderate.....	Dull.....	Dingy.....	
(8) Width.....	Deep.....	Strong.....	Moderate.....	Weak.....	Pale.....	(1) Over 40%.
(9) Length.....	Broad.....	Spready.....	Normal.....	Narrow.....	Stringy.....	
(10) Injury tolerance.....	5%.....	10%.....	20%.....	30%.....	40%.....	

¹ Expressed in inches. Applied to a limited number of grades.

RULES

§ 29.3353 Rules.

The application of these official standard grades shall be in accordance with the following rules:

§ 29.3354 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate the type also shall be stated.

§ 29.3355 Rule 2.

The determination of grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

§ 29.3356 Rule 3.

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. One break shall be made not more than six inches from the top of the package and one not more than six inches from the bottom. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three breaks from which a representative sample of not less than six hands shall be selected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

§ 29.3357 Rule 4.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

§ 29.3358 Rule 5.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.3359 Rule 6.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between

two grades shall be placed in the lower grade.

§ 29.3360 Rule 7.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

§ 29.3361 Rule 8.

In determining the grade of a lot of tobacco the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.3362 Rule 9.

Any special factor symbol, approved by the Director of the Tobacco Division of the Agricultural Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

§ 29.3363 Rule 10.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

§ 29.3364 Rule 11.

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

§ 29.3365 Rule 12.

Any lot of Dull-crop or Heavy-crop tobacco in which 25 percent or more of its leaves are 16 inches or under in length shall be designated as Tip group (T).

§ 29.3366 Rule 13.

In applying the degree of uniformity indicated in the specifications of a grade, the tolerance of mixture permitted shall be as follows: Uniform, 5 percent; similar, 10 percent; comparable, 20 percent; blended, 30 percent; mingled, 40 percent; and mixed, over 40 percent. These degrees and percentages shall govern the portion of the lot which must be closely related but may be of a different group, quality, or color from the major portion. These percentages shall not affect limitations established by other rules.

§ 29.3367 Rule 14.

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the

percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the kinds of injury normal to the group or grade and the extent to which a particular kind of injury impairs the quality of the tobacco.

§ 29.3368 Rule 15.

Variegated tobacco may be included in any group as follows: In the third quality, 5 percent; in the fourth quality, 10 percent; and in the fifth quality up to 20 percent. Any lot of tobacco containing 20 percent or more of variegated leaves shall be described as "variegated" and designated by the color symbol "K."

§ 29.3369 Rule 16.

Any lot of tobacco containing 20 percent or more of greenish leaves, or any lot which contains 20 percent of greenish and green leaves combined, shall be designated by the color symbol "V."

§ 29.3370 Rule 17.

Any lot of tobacco containing 20 percent or more of green leaves, or any lot which is not crude but contains 20 percent or more of green and crude combined, shall be designated by the color symbol "G."

§ 29.3371 Rule 18.

Crude leaves shall not be included in any grade of any color except green. Any lot containing 20 percent or more of crude leaves shall be designated as Non-descript.

§ 29.3372 Rule 19.

All standard grades must be clean.

§ 29.3373 Rule 20.

Sound tobacco that is wet or in doubtful-keeping order but which otherwise meets the specifications of a grade shall be treated as a subgrade by placing the special factor "W" after the grademark. This special factor does not apply to tobacco designated as "No-G."

§ 29.3374 Rule 21.

Tobacco damaged under 20 percent but which otherwise meets the specifications of a grade shall be treated as a subgrade by placing the special factor "U" after the grademark. Tobacco damaged 20 percent or more shall be designated as "No-G."

§ 29.3375 Rule 22.

Tobacco shall be designated as No Grade, using the grademark "No-G," when it is dirty, nested, offtype, semi-cured, needs to be reworked, damaged 20 percent or more, contains foreign matter, or has an odor foreign to the type.

GRADES

§ 29.3401 Ground leaves (P group).

This group consists of leaves from the lowest portion of the stalk. These leaves either drop off at harvesttime or are primed or removed before harvesting. Cured Ground Leaves are open-faced and are the widest leaves on the stalk in relation to their length. They have a rounded tip. Ground Leaves ripen prematurely as the result of starvation. They contain a relatively high percent-

age of sand and dirt. (See definition of Prematurity.)

U.S. Grade	Grade Names and Specifications
P3L	Good Tan Ground Leaves. Thin to tissuey, prematurely mellow, open to porous, crepy to even, comparable, dull finish, weak color intensity, and 20 percent injury tolerance.
P4L	Fair Tan Ground Leaves. Thin to tissuey, prematurely ripe to mellow, porous, wavy to crepy, blended, dingy finish, pale color intensity, and 30 percent injury tolerance.
P5L	Low Tan Ground Leaves. Thin to tissuey, prematurely ripe to mellow, porous, wrinkly to crepy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.
P3F	Good Cherry Ground Leaves. Thin, prematurely ripe to mellow, open to porous, crepy to even, comparable, dull finish, weak color intensity, and 20 percent injury tolerance.
P4F	Fair Cherry Ground Leaves. Thin, prematurely ripe to mellow, porous, wavy to crepy, blended, dingy finish, pale color intensity, and 30 percent injury tolerance.
P5F	Low Cherry Ground Leaves. Thin, prematurely ripe to mellow, porous, wrinkly to crepy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.
P4R	Fair Mahogany Ground Leaves. Medium to thin body, prematurely ripe to mellow, porous, wavy to crepy, blended, dingy finish, pale color intensity, and 30 percent injury tolerance.
P5R	Low Mahogany Ground Leaves. Medium to thin body, prematurely ripe to mellow, porous, wrinkly to crepy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.

§ 29.3402 Seconds (X group).

This group consists of relatively thin leaves which show material injury characteristic of leaves grown near the ground or below the midpoint of the stalk. Cured Seconds normally have a flat, open face and are wider in relation to their length than leaves from a higher stalk position.

U.S. Grade	Grade Names and Specifications
X1L	Choice Tan Seconds. Tissuey, mellow, open to porous, smooth, uniform, clear finish, strong color intensity, and 5 percent injury tolerance.
X2L	Fine Tan Seconds. Tissuey, mellow, open to porous, even to smooth, similar, clear finish, moderate color intensity, and 10 percent injury tolerance.
X3L	Good Tan Seconds. Thin to tissuey, ripe to mellow, open to porous, crepy to even, comparable, moderate finish, weak color intensity, and 20 percent injury tolerance.
X4L	Fair Tan Seconds. Thin to tissuey, ripe to mellow, open to porous, wavy to crepy, blended, dull finish, pale color intensity, and 30 percent injury tolerance.

U.S. Grade	Grade Names and Specifications
X5L	Low Tan Seconds. Thin to tissuey, ripe to mellow, open to porous, wrinkly to crepy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.
X1F	Choice Cherry Seconds. Thin to tissuey, mellow, open to porous, smooth, uniform, clear finish, strong color intensity, and 5 percent injury tolerance.
X2F	Fine Cherry Seconds. Thin to tissuey, mellow, open to porous, even to smooth, similar, clear finish, moderate color intensity and 10 percent injury tolerance.
X3F	Good Cherry Seconds. Thin, ripe to mellow, open to porous, crepy to even, comparable, moderate finish, weak color intensity, and 20 percent injury tolerance.
X4F	Fair Cherry Seconds. Thin, ripe to mellow, open to porous, wavy to crepy, blended, dull finish, pale color intensity, and 30 percent injury tolerance.
X5F	Low Cherry Seconds. Thin, ripe to mellow, open to porous, wrinkly to crepy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.
X3R	Good Mahogany Seconds. Medium to thin body, ripe to mellow, open to porous, crepy to even, comparable, moderate finish, weak color intensity, and 20 percent injury tolerance.
X4R	Fair Mahogany Seconds. Medium to thin body, ripe to mellow, open to porous, wavy to crepy, blended, dull finish, pale color intensity, and 30 percent injury tolerance.
X5R	Low Mahogany Seconds. Medium to thin body, ripe to mellow, open to porous, wrinkly to crepy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.
X4D	Fair Brown Seconds. Medium to thin body, ripe to mellow, open to porous, wrinkly to crepy, blended, dingy finish, pale color intensity, and 30 percent injury tolerance.
X5D	Low Brown Seconds. Medium to thin body, ripe to mellow, open to porous, wrinkly to wavy, mingled, dingy finish, pale color intensity, and 40 percent injury tolerance.
X3K	Good Variegated Seconds. Medium to thin body, underripe to mature, firm, crepy to even, comparable, and 20 percent injury tolerance.
X4K	Fair Variegated Seconds. Medium to thin body, underripe to mature, compact, wavy to crepy, blended, and 30 percent injury tolerance.
X5K	Low Variegated Seconds. Medium to thin body, underripe to mature, compact, wrinkly to wavy, mingled, and 40 percent injury tolerance.
X3V	Good Greenish Seconds. Thin, underripe, open, crepy to even, comparable, moderate finish, and 20 percent injury tolerance.
X4V	Fair Greenish Seconds. Medium to thin body, underripe, firm to open, wavy to crepy, blended, dull finish, and 30 percent injury tolerance.

U.S. Grade	Grade Names and Specifications
X5V	Low Greenish Seconds. Medium to thin body, underripe, firm, wrinkly to crepy, mingled, dingy finish, and 40 percent injury tolerance.
X4G	Fair Green Seconds. Medium to thin body, immature, compact, wrinkly to wavy, blended, dingy finish, and 30 percent injury tolerance.
X5G	Low Green Seconds. Medium to thin body, immature, compact, wrinkly to wavy, mingled, dingy finish, and 40 percent injury tolerance.

§ 29.3403 Bright-crop or Thin-crop (C group).

This group consists of leaves usually grown at the midpoint on the stalk. Cured leaves from this stalk position roll or curl and tend to conceal the stem or midrib. These leaves are of relatively thin body compared with the average body of the type. They are spready in relation to their length and have an oblate tip. Little ground injury is found in leaves of this group. Bright-crop or Thin-crop also may be described as first-bright, first-crop, or crop.

U.S. Grade	Grade Names and Specifications
C1L	Choice Tan Bright-crop. Thin to tissuey, ripe to mellow, open, smooth, uniform, bright finish, deep color intensity, broad, over 20 inches long, and 5 percent injury tolerance.
C2L	Fine Tan Bright-crop. Thin to tissuey, ripe to mellow, open, smooth, similar, bright finish, strong color intensity, spready, over 18 inches long, and 10 percent injury tolerance.
C3L	Good Tan Bright-crop. Thin to tissuey, ripe, open, even to smooth, comparable, clear finish, moderate color intensity, normal to spready width, over 16 inches long, and 20 percent injury tolerance.
C4L	Fair Tan Bright-crop. Thin, mature to ripe, firm to open, even, blended, moderate finish, weak color intensity, normal width, and 30 percent injury tolerance.
C5L	Low Tan Bright-crop. Thin, mature to ripe, firm to open, crepy, mingled, dull finish, pale color intensity, narrow to normal width, and 40 percent injury tolerance.
C1F	Choice Cherry Bright-crop. Thin, ripe to mellow, open, smooth, uniform, bright finish, deep color intensity, broad, over 20 inches long, and 5 percent injury tolerance.
C2F	Fine Cherry Bright-crop. Thin, ripe to mellow, open, smooth, similar, bright finish, strong color intensity, spready, over 18 inches long, and 10 percent injury tolerance.
C3F	Good Cherry Bright-crop. Thin, ripe, open, even to smooth, comparable, clear finish, moderate color intensity, normal to spready width, over 16 inches long, and 20 percent injury tolerance.
C4F	Fair Cherry Bright-crop. Thin, mature to ripe, firm to open, even, blended, moderate finish, weak color intensity, normal width, and 30 percent injury tolerance.

U.S. Grade	Grade Names and Specifications
C5F	Low Cherry Bright-crop. Thin, mature to ripe, firm to open, crepy, mingled, dull finish, pale color intensity, narrow to normal width, and 40 percent injury tolerance.
C3R	Good Mahogany Bright-crop. Thin, ripe, open, even to smooth, comparable, clear finish, moderate color intensity, normal to spready width, over 16 inches long, and 20 percent injury tolerance.
C4R	Fair Mahogany Bright-crop. Medium to thin body, mature to ripe, firm to open, crepy to even, blended, moderate finish, weak color intensity, normal width, and 30 percent injury tolerance.
C5R	Low Mahogany Bright-crop. Medium to thin body, mature to ripe, firm to open, wavy to crepy, mingled, dull finish, pale color intensity, narrow to normal width, and 40 percent injury tolerance.
C4D	Fair Brown Bright-crop. Medium to thin body, mature to ripe, firm to open, crepy to even, blended, dull finish, weak color intensity, normal width, and 30 percent injury tolerance.
C5D	Low Brown Bright-crop. Medium to thin body, mature to ripe, firm, wavy to crepy, mingled, dingy finish, pale color intensity, narrow to normal width, and 40 percent injury tolerance.
C3K	Good Variegated Bright-crop. Medium body, mature, firm, crepy to even, comparable, normal to spready width, over 16 inches long, and 20 percent injury tolerance.
C4K	Fair Variegated Bright-crop. Medium body, underripe to mature, compact, wavy to crepy, blended, normal width, and 30 percent injury tolerance.
C5K	Low Variegated Bright-crop. Medium body, underripe to mature, compact, wrinkly to wavy, mingled, narrow to normal width, and 40 percent injury tolerance.
C3V	Good Greenish Bright-crop. Thin, underripe, firm to open, even to smooth, comparable, clear finish, normal to spready width, over 16 inches long, and 20 percent injury tolerance.
C4V	Fair Greenish Bright-crop. Medium to thin body, underripe, firm, even, blended, moderate finish, normal width, and 30 percent injury tolerance.
C5V	Low Greenish Bright-crop. Medium to thin body, underripe, compact to firm, wavy to crepy, mingled, dull finish, narrow to normal width, and 40 percent injury tolerance.
C4G	Fair Green Bright-crop. Medium to thin body, immature, compact, wavy to crepy, blended, dull finish, normal width, and 30 percent injury tolerance.
C5G	Low Green Bright-crop. Medium body, immature, compact, wrinkly to wavy, mingled, dingy finish, narrow to normal width, and 40 percent injury tolerance.

§ 29.3404 Dull-crop or Heavy-crop (B group).

This group consists of leaves usually grown above the midpoint on the stalk. Cured leaves from the upper stalk tend to fold face in and expose the stem or midrib. Upper stalk tobacco is of relatively heavy body compared with the average body of the type. Upper stalk leaves are narrow in relation to their

length and have a pointed tip. Dull-crop or Heavy-crop also may be described as second-bright, dull, or semicrop.

U.S. Grade	Grade Names and Specifications
B1F	Choice Cherry Dull-crop. Medium to thin body, ripe, open, smooth, uniform, bright finish, deep color intensity, spready, over 20 inches long, and 5 percent injury tolerance.
B2F	Fine Cherry Dull-crop. Medium to thin body, ripe, open, even to smooth, similar, clear finish, strong color intensity, normal to spready width, over 18 inches long, and 10 percent injury tolerance.
B3F	Good Cherry Dull-crop. Medium body, mature to ripe, firm to open, even, comparable, moderate finish and color intensity, normal width, 75 percent over 16 inches long, and 20 percent injury tolerance.
B4F	Fair Cherry Dull-crop. Fleshy to medium body, mature, firm, crepy, blended, dull finish, weak color intensity, narrow to normal width, 75 percent over 16 inches long, and 30 percent injury tolerance.
B5F	Low Cherry Dull-crop. Fleshy to medium body, mature, compact to firm, wavy, mingled, dingy finish, pale color intensity, stringy to narrow, 75 percent over 16 inches long, and 40 percent injury tolerance.
B1R	Choice Mahogany Dull-crop. Medium body, ripe, open, smooth, uniform, bright finish, deep color intensity, spready, over 20 inches long, and 5 percent injury tolerance.
B2R	Fine Mahogany Dull-crop. Medium body, ripe, open, even to smooth, similar, clear finish, strong color intensity, normal to spready width, over 18 inches long, and 10 percent injury tolerance.
B3R	Good Mahogany Dull-crop. Fleshy to medium body, mature, firm, even, comparable, moderate finish and color intensity, normal width, 75 percent over 16 inches long, and 20 percent injury tolerance.
B4R	Fair Mahogany Dull-crop. Fleshy, mature, firm, wavy to crepy, blended, dull finish, weak color intensity, narrow to normal width, 75 percent over 16 inches long and 30 percent injury tolerance.
B5R	Low Mahogany Dull-crop. Heavy to fleshy, underripe to mature, compact, wrinkly to wavy, mingled, dingy finish, pale color intensity, stringy to narrow, 75 percent over 16 inches long, and 40 percent injury tolerance.
B3D	Good Brown Dull-crop. Fleshy to medium body, mature, firm, wavy to crepy, comparable, dull finish, moderate color intensity, normal width, 75 percent over 16 inches long, and 20 percent injury tolerance.
B4D	Fair Brown Dull-crop. Heavy to medium body, mature, compact, wrinkly to wavy, blended, dingy finish, weak color intensity, narrow to normal width, 75 percent over 16 inches long, and 30 percent injury tolerance.
B5D	Low Brown Dull-crop. Heavy to medium body, underripe, compact, rough to wrinkly, mingled, dingy finish, pale color intensity, stringy to narrow, 75 percent over 16 inches long, and 40 percent injury tolerance.

U.S. Grade	Grade Names and Specifications
B3K	Good Variegated Dull-crop. Fleshy to medium body, underripe to mature, compact, wavy to crepy, comparable, normal width, 75 percent over 16 inches long, and 20 percent injury tolerance.
B4K	Fair Variegated Dull-crop. Heavy to fleshy, underripe to mature, hard, wrinkly to wavy, blended, narrow to normal width, 75 percent over 16 inches long, and 30 percent injury tolerance.
B5K	Low Variegated Dull-crop. Heavy, underripe to mature, hard, rough to wrinkly, mingled, stringy to narrow, 75 percent over 16 inches long, and 40 percent injury tolerance.
B3V	Good Greenish Dull-crop. Medium to thin body, underripe, firm, even, comparable, moderate finish, normal width, 75 percent over 16 inches long, and 20 percent injury tolerance.
B4V	Fair Greenish Dull-crop. Fleshy to medium body, underripe, compact to firm, wavy to crepy, blended, dull finish, narrow to normal width, 75 percent over 16 inches long, and 30 percent injury tolerance.
B5V	Low Greenish Dull-crop. Fleshy to medium body, underripe, compact, wrinkly to wavy, mingled, dingy finish, stringy to narrow, 75 percent over 16 inches long, and 40 percent injury tolerance.
B3G	Good Green Dull-crop. Fleshy to medium body, immature, compact, wavy to crepy, comparable, moderate finish, normal width, 75 percent over 16 inches long, and 20 percent injury tolerance.
B4G	Fair Green Dull-crop. Heavy to fleshy, immature, hard, wrinkly to wavy, blended, dull finish, narrow to normal width, 75 percent over 16 inches long, and 30 percent injury tolerance.
B5G	Low Green Dull-crop. Heavy, immature, hard, rough to wrinkly, mingled, dingy finish, stringy to narrow, 75 percent over 16 inches long, and 40 percent injury tolerance.

§ 29.3405 Tips (T group).

This group consists of leaves usually grown at the top of the stalk. These relatively narrow and sharp-pointed leaves have the general characteristics of Dull-crop or upper stalk tobacco. A slightly lower degree of maturity and leaf structure is usually associated with the normal state of underdevelopment in Tips. Slightly heavier body results from a combination of substance and lower porosity.

U.S. Grade	Grade Names and Specifications
T3F	Good Cherry Tips. Medium body, mature to ripe, firm to open, even, comparable, moderate finish and color intensity, normal width, 25 percent or more 16 inches or under, and 20 percent injury tolerance.
T4F	Fair Cherry Tips. Fleshy to medium body, mature, firm, crepy, blended, dull finish, weak color intensity, narrow to normal width, 25 percent or more 16 inches or under, and 30 percent injury tolerance.

U.S. Grade	Grade Names and Specifications
T5F	Low Cherry Tips. Fleshy to medium body, mature, compact to firm, wavy, mingled, dingy finish, pale color intensity, stringy to narrow, 25 percent or more 16 inches or under, and 40 percent injury tolerance.
T3R	Good Mahogany Tips. Fleshy to medium body, mature, firm, even, comparable, moderate finish and color intensity, normal width, 25 percent or more 16 inches or under, and 20 percent injury tolerance.
T4R	Fair Mahogany Tips. Fleshy, mature, firm, wavy to crepy, blended, dull finish, weak color intensity, narrow to normal width, 25 percent or more 16 inches or under, and 30 percent injury tolerance.
T5R	Low Mahogany Tips. Heavy to fleshy, underripe to mature, compact, wrinkly to wavy, mingled, dingy finish, pale color intensity, stringy to narrow, 25 percent or more 16 inches or under, and 40 percent injury tolerance.
T4D	Fair Brown Tips. Heavy to medium body, mature, compact, wrinkly to wavy, blended, dingy finish, weak color intensity, narrow to normal width, 25 percent or more 16 inches or under, and 30 percent injury tolerance.
T5D	Low Brown Tips. Heavy to medium body, underripe, compact, rough to wrinkly, mingled, dingy finish, pale color intensity, stringy to narrow, 25 percent or more 16 inches or under, and 40 percent injury tolerance.
T4K	Fair Variegated Tips. Heavy to fleshy, underripe to mature, hard, wrinkly to wavy, blended, narrow to normal width, 25 percent or more 16 inches or under, and 30 percent injury tolerance.
T5K	Low Variegated Tips. Heavy, underripe to mature, hard, rough to wrinkly, mingled, stringy to narrow, 25 percent or more 16 inches or under, and 40 percent injury tolerance.
T4V	Fair Greenish Tips. Fleshy to medium body, underripe, compact to firm, wavy to crepy, blended, dull finish, narrow to normal width, 25 percent or more 16 inches or under, and 30 percent injury tolerance.
T5V	Low Greenish Tips. Fleshy to medium body, underripe, compact, wrinkly to wavy, mingled, dingy finish, stringy to narrow, 25 percent or more 16 inches or under, and 40 percent injury tolerance.
T4G	Fair Green Tips. Heavy to fleshy, immature, hard, wrinkly to wavy, blended, dull finish, narrow to normal width, 25 percent or more 16 inches or under, and 30 percent injury tolerance.
T5G	Low Green Tips. Heavy, immature, hard, rough to wrinkly, mingled, dingy finish, stringy to narrow, 25 percent or more 16 inches or under, and 40 percent injury tolerance.

§ 29.3406 Nondescript (N group).

Extremely common tobacco which does not meet the minimum specifications or

which exceeds the tolerance of the lowest grade of any other group.

U.S. Grade	Grade Names and Specifications
N1L	Best Thin-bodied Nondescript. Below 5th quality of P, X, and C groups; 60 percent injury tolerance.
N1F	Best Medium-bodied Nondescript. Below 5th quality of C, B, and T groups; 60 percent injury tolerance.
N1R	Best Heavy-bodied Nondescript. Below 5th quality of B and T groups; 60 percent injury tolerance.
N1G	Best Crude Green Nondescript. Tolerance, 60 percent crude leaves or injury.
N2	Substandard Nondescript. Nondescript of any group, quality, or color; tolerance, over 60 percent crude leaves or injury.

§ 29.3407 Scrap (S group).

A by-product of unstemmed and stemmed tobacco. Scrap accumulates from handling tobacco in farm buildings, warehouses, packing and conditioning plants, and stemmeries.

U.S. Grade	Grade Names and Specifications
S	Scrap. Loose, tangled, whole, or broken unstemmed leaves, or the web portions of tobacco leaves reduced to scrap by any process.

Done at Washington, D.C., this 6th day of April 1959.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 59-3023; Filed, Apr. 9, 1959; 8:46 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 80—GENERAL RULES OF PROCEDURE ON APPLICATIONS FOR DETERMINATION OF REASONABLE ROYALTY FEE, JUST COMPENSATION, OR GRANT OF AN AWARD FOR PATENTS, INVENTIONS, OR DISCOVERIES

Miscellaneous Amendments

On March 10, 1959, the Commission issued for public comment proposed amendments to Part 80 of the Commission's rules and regulations providing that (1) the Patent Compensation Board be delegated authority to hear and decide cases involving claims for damages and use as the result of patent secrecy orders under 35 U.S.C. section 183, as authorized by 35 U.S.C. section 188, and (2) decisions of the Board be made reviewable by the Commission upon petition for review filed by any party to each such proceeding. Under the review procedure, the decision of the Board would constitute final action of the Commission, unless any party to the proceeding should file a petition for review with the Commission within sixty days after such decision and thereafter the Commission should grant the petition

and order the proceeding to be submitted for final decision by the Commission.

Effective thirty days after publication in the FEDERAL REGISTER, Part 80 of the Commission's rules and regulations is hereby amended to read as follows:

§ 80.2 [Amendment]

1. Section 80.2(e) is amended to read as follows:

(e) "Party," "petitioner," and "respondent" shall mean the applicant (personally or through his counsel) and the Office of the General Counsel of the Commission as the text may indicate. Each applicant shall be entitled to be represented by counsel.

2. Section 80.1 is amended to read as follows:

§ 80.1 Scope of the part.

The regulations in this part provide the rules of procedure to be followed by any person making application to the Atomic Energy Commission for the determination of a reasonable royalty fee, compensation, or the grant of an award, and for the consideration of such applications pursuant to section 157 of chapter 13 of the Atomic Energy Act of 1954 (68 Stat. 947; 42 U.S.C. 2187), section 173 of chapter 15 of the Atomic Energy Act of 1954 (68 Stat. 953; 42 U.S.C. 2223), and section 1 of the Patent Act of July 19, 1952 (66 Stat. 806 and 808; 35 U.S.C. 183 and 188).

§ 80.10 [Amendment]

3. Section 80.10 is amended by adding the following paragraph (e):

(e) Any applicant, his successors, assigns or legal representatives, whose patent is withheld because of an order of secrecy issued at the request of the Commission may, beginning at the date the applicant is notified that, except for such order, his application is otherwise in condition for allowance, make application for compensation for the damage caused by the order of secrecy and/or for the use of the invention by the Government, resulting from his disclosure as provided by 35 U.S.C. 183.

§ 80.11 [Amendment]

4. Section 80.11(c) is amended by adding the following subparagraph (10):

(10) In the case of an application for compensation for the damage caused by an order of secrecy of a patent application and/or for the use of the invention by the Commission, the date of the order of secrecy, the date of the notice that the patent application is in condition for allowance, and, if known to the applicant, the date of the first use of the invention by the Commission.

5. The heading immediately preceding § 80.60 is amended to read "Adjudication and Commission Review."

§ 80.60 [Amendment]

6. Section 80.60(a) is amended to read as follows:

(a) Upon the expiration of the period prescribed in § 80.51, the Board shall

proceed to a final consideration of the application on the basis of the entire record, including any exceptions, and the briefs in support filed by either party. The Board shall resolve questions of fact by what it deems to be the greater weight of the evidence and shall make its decision on the entire record. Its findings as to facts shall be supported by reliable, probative, and substantial evidence. The Board shall render an appropriate decision, together with a statement of its reasons or basis, determining as the case may be a reasonable royalty fee, the amount of compensation, or the amount of an award, or such other disposition as its determination requires.

7. Section 80.60(c) is amended to read as follows:

(c) The decision of the Board shall constitute the final action of the Commission sixty (60) days after the date thereof, unless any party shall within such period file a petition for review of such decision.

8. A new § 80.61 should be added as follows:

§ 80.61 Commission review.

(a) The petition for review shall concisely and plainly state (1) the facts upon which the petitioner bases his claims that he has been adversely affected or aggrieved by the decision of the Board or that review thereof is required in the public interest under applicable statutes and rules, and (2) the relief or disposition of the application which the petitioner seeks by review.

(b) Seven copies of the petition for review and brief in support thereof shall be filed with the Clerk of the Board, who shall forthwith serve one copy of the petition and brief upon each of the members of the Commission, together with a copy of the Board's decision. The petition and supporting brief shall be accompanied by a certificate of service thereof upon the respondent.

(c) Within twenty (20) days after the filing of the petition for review and supporting brief, the respondent may file seven copies of an opposing brief with the Clerk of the Board, who shall forthwith serve one copy thereof upon each of the members of the Commission. The opposing brief shall be accompanied by a certificate of service thereof upon the petitioner.

(d) In their consideration of the petition for review and briefs filed with respect thereto, the members of the Commission may take into consideration, without limitation, (1) the propriety of the compensation, royalty, or award on its face or the size thereof; (2) compliance by the claimant or applicant, and the Board, with the requirements and standards of applicable statutes and the regulations of the Commission; and (3) important questions of policy or administration presented by the record in the case.

(e) If the Commission denies the petition for review, the decision of the Board shall thereupon become the final action of the Commission. If the Com-

mission grants the petition for review, it shall (1) direct the Clerk of the Board to forthwith certify the record of the case to the Commission, and (2) issue an order for review which shall fix a time within which the parties may submit exceptions and briefs with reference to the decision of the Board. After expiration of such time, the Commission shall proceed to a final decision in the manner provided in §§ 2.750, 2.753(b), 2.754, and 2.756 of this chapter.

(f) No officer or employee of the Commission, other than (1) a Commissioner, (2) a member of his immediate staff, or (3) Commission personnel who have not previously been involved, directly or indirectly, in the subject matter of the proceeding, in the proceeding itself, or in a factually related case, may participate or advise in the consideration of a petition for review or in the final decision of the Commission, except as a witness or counsel in the formal proceeding.

(Section 161, 68 Stat. 948, 42 U.S.C. 2201)

Dated at Germantown, Md., this 6th day of April 1959.

A. R. LUEDECKE,
General Manager.

[F.R. Doc. 59-3030; Filed, Apr. 9, 1959;
8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

[9th Gen. Rev. of Export Reg., Amdt. 12¹]

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

PART 371—GENERAL LICENSES

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

PART 382—DENIAL OF EXPORT PRIVILEGES

Miscellaneous Amendments

1. Section 370.7 is amended to read as follows:

§ 370.7 Shipments entering foreign trade zones.

(a) *Foreign origin commodities.* Shipments of commodities wholly of foreign origin for which no customs entry has been made and which enter a United States foreign trade zone may be exported from the foreign trade zone without a validated export license from the Bureau of Foreign Commerce except as described in subparagraphs (1), (2), (3) of this paragraph, and paragraph (b) of this section.

(1) *Hong Kong, Macao, Poland (including Danzig), and Subgroup A destinations.* Shipments to Hong Kong, Macao, Poland (including Danzig), and

¹ This amendment was published in Current Export Bulletin 813, dated April 1, 1959.

Subgroup A destinations require a validated license if a shipment of similar goods of United States origin could not be made from the customs territory of the United States to such a destination under the provisions of a general license.

(2) *Shipments covered by United States Import Certificates.* Commodities shipped to the United States under a United States Import Certificate (Form FC-826), in accordance with the procedure described in § 368.1(b) of this chapter, require a validated license.

(3) *Shipments originating in Canada.* Shipments of commodities originating in Canada require a validated license only:

(i) If the shipment does not meet the conditions set forth in § 371.9(b)(1) of this chapter; or,

(ii) If the shipment is exported to an ultimate destination to which the same commodities could not be exported directly from the United State under General License G.O.

(b) *Foreign excess property disposed of by the United States Government.* Commodities of United States or foreign origin disposed of by the United States Government under a foreign excess property disposal program which enter a United States foreign trade zone without a customs entry may be exported from the foreign trade zone without an export license; except that a validated export license is required in any case where the same shipment made directly from the customs territory of the United States to the same destination would require a validated export license.

2. Section 371.14 is amended to read as follows:

§ 371.14 General License GUS; shipments to personnel and agencies of the United States Government.

A general license designated GUS is hereby established, authorizing exportations to any destination as follows:

(a) *Commodities for personal use.* Commodities in quantities sufficient solely for the personal use of members of the United States Armed Services, and their immediate families and servants, and of civilian personnel of the United States Government, and their immediate families and servants. Civilian personnel of the United States Government includes representatives of the U.S. Government to public international organizations. Commodities for personal use include household effects, food, beverages, and other daily necessities.

(b) *Commodities for official use.* Any commodities consigned to and for the official use of any agency of the U.S. Government. The term "agency of the United States Government" includes all civilian and military departments, branches, missions, government-owned corporations, and other agencies of the United States Federal Government, but does not include such national agencies as the American Red Cross or international organizations in which the United States participates such as the Organization of American States. Therefore, shipments may not be made under this general license to these nongovernment national or international agencies.

3. Section 371.18 is amended to read as follows:

§ 371.18 General License GLR; return of certain commodities imported into the United States.

A general license designated GLR is hereby established, authorizing exportations described below. When an exportation is made under this general license, the entry number (if any), the country from which the commodities were imported, and the port of entry shall be shown on the shipper's export declaration.

(a) *Commodities sent to the United States for repair.* (1) Any commodity which has been sent to the United States for repair may be exported under this general license to the country from which it was sent, except as indicated in subparagraph (2) of this paragraph. The commodity returned may include replacement or rebuilt parts which are necessary to repair the commodity.

(2) The provisions of this paragraph do not apply to:

(i) Exportations to Hong Kong, Macao, and Subgroup A destinations.

(ii) Commodities disposed of by United States Government agencies under foreign excess property disposal programs.

(b) *Containers.* Exportation may be made of metal drums, gas cylinders, bags and other containers (whether manufactured in the United States or a foreign country) which are imported into the United States for the purpose of transporting contained commodities to or from the United States to any destination other than Communist China, North Korea, or the Communist-controlled area of Viet Nam, whether such container is exported (1) empty, or (2) filled with any commodity which may be exported under a general license, or (3) filled with any commodity for which a validated license has been issued by the Bureau of Foreign Commerce.

(c) *Commodities failing to conform to specifications or shipped without the consent of the consignee.* A commodity which does not conform to sample or other specifications, or was shipped without the consent of the consignee and is in the same condition it was in when imported into the United States, may be returned under this general license to the country from which it was exported to the United States. This paragraph does not apply to the return of commodities to Communist China, to North Korea, or to the Communist-controlled area of Viet Nam.

(d) *Return of shipments refused entry.* Shipments of commodities refused entry by U.S. Customs, by the Food and Drug Administration, or by other U.S. Government agencies may be returned under this general license to the country of origin, including Hong Kong, Macao, and Subgroup A destinations, except that this paragraph does not authorize the return of any shipment to Communist China, to North Korea, to the Communist-controlled area of Viet Nam, or any shipment to any destination where such shipment has been refused entry by U.S. Customs because of the Foreign Assets Control regulations of the

Treasury Department unless such return is licensed or otherwise authorized by the Treasury Department, Foreign Assets Control.

§ 379.3 [Amendment]

4. Section 479.3 *Presentation of shipper's export declaration*, paragraph (e) *Special requirements* is amended to read as follows:

(e) *Special requirements*—(1) *Special requirements stated on the license.* Where a particular validated license bears on the face thereof a requirement that specified documents or information (additional to that furnished at the time of application) be furnished, the licensee shall, at the time of or prior to presenting the declaration to the Collector, write on all copies of the declaration such specified information or attach to the additional copy of the shipper's export declaration any required documents, unless otherwise indicated on the license.

(2) *Manner of submission of additional information and documents; additional copy of declaration.* (i) The information required by subparagraph (1) of this paragraph shall be set out in columns (9) to (15) on all copies of the declaration—one copy in addition to, and conforming to, the number of copies otherwise required—to be filed with the Collector for authentication. Unless otherwise specified on the face of the license, the documents required shall be attached to the additional copy of the declaration and need be submitted in one copy only. The documents may be either original or certified copies.

(ii) All statements and documents submitted in accordance with the requirements of a license will be deemed to constitute representations of material facts within the purview of the regulations prohibiting the making of false representations to the Bureau of Foreign Commerce in any export control matter (see § 381.5(b) of this chapter).

(iii) The Collector will refuse to authenticate a declaration in any case where the exporter fails to comply with the special requirements of a validated export license or does not possess the information or documents requested, unless, prior to presentation of the declaration, the exporter has informed the Bureau of Foreign Commerce of the specific reason for his inability to comply and, for good cause shown, the Bureau of Foreign Commerce has in writing waived the requirement. The licensee will attach to and file with the license any letter of waiver in order to effect clearance of the shipment through Customs.

(3) *Special requirements for exportations by air.* (i) The provisions of this subparagraph apply to any exportation by air, other than air mail or air parcel post which is made under authority of a validated license.

(ii) For any such exportation by air, one copy of the related air waybill (or other contract of carriage) shall be submitted to the Collector of Customs at the gateway or port of exit at the same time as the shipper's export declaration is presented for authentication. This copy

of the waybill submitted to the Collector will be returned to the presenting party.

(iii) Where several individual exportations are consolidated into one shipment for which a consolidated master air waybill is issued by the carrier, a copy of each of the individual air waybills issued by the consolidator (indirect carrier) for each exportation contained in the consolidated shipment shall be submitted to the Collector of Customs. However, it is not required that the "master" waybill be submitted to the Collector.

(iv) The copy of the waybill presented to the Collector will be examined by him to assure that it meets all the requirements of the export regulations and will be returned to the presenting party.

(v) The provisions of this subparagraph do not require an exporting carrier or consolidator to assure the conformity of copies of the waybill which are not accessible to him at the gateway or port of exit and which are not to be sent abroad.

(vi) In the case of an exportation included in a consolidated shipment, the consolidator shall be responsible for assuring that the office copies of the waybill retained by him at the gateway or port of exit, as well as all copies of the waybill which are to be sent abroad, shall conform to the copy of the waybill presented to the Collector. In the case of an exportation which is not included in a consolidated shipment, the exporting carrier shall have this responsibility.

(4) *Optional ports of unloading.* (i) In a case where, prior to the departure of the exporting carrier, an exporter does not know which of several countries is the country of ultimate destination of a commodity being exported under General License GRO or GO, the exporter may name on the declaration and bill of lading as ultimate destination optional ports of unloading, even when more than one foreign country is involved.

(ii) When an exportation under any general license is shipped in transit through a country other than the country of ultimate destination, the exporter may designate optional ports of unloading in one or more countries, together with the name and address of the intermediate consignee in each of the countries designated. Optional ports of unloading, in all cases, shall be located in a country to which the commodity or technical data may be shipped directly from the United States under the same or another applicable general license.

(iii) In the case of exportations made under a validated license, optional ports of unloading in the country of ultimate destination only may be designated on the declaration and bill of lading, unless the export license designates intermediate consignees in one or more countries other than the country of ultimate destination. In the latter case, the optional ports of unloading must be designated as optional in-transit points on the declaration and bill of lading in accordance with the validated license. Amendment of the validated license is required if an intermediate consignee in any of the designated countries is not named on the export license, as provided in § 380.2(d) of this chapter.

(iv) In all of the above instances, the Bureau of Customs, in accordance with Customs clearance regulations (19 CFR 4.60(a)), requires that the carrier must have other cargo on board to be discharged at one of the optional ports named in each country and such carrier must be cleared accordingly.

(v) In no event does the aforementioned procedure apply to any shipment destined directly or indirectly to Hong Kong, Macao, or Subgroup A destinations. (For shipments to other destinations via Hong Kong, see § 370.8 of this chapter.)

NOTE: 1. Correction Form FT-7403. In accordance with § 379.5(d), as soon as the exporter ascertains at which port the commodities are to be unloaded, whether located in the country of ultimate destination or in a country of transit, Correction Form FT-7403 should be filed with the Collector at the port of exit where the original declaration was filed, specifying the actual port of unloading and the name and address of the intermediate consignee, if any, to whom delivery is made. An intermediate consignee must be specified if the port of unloading is located in a country other than the country of ultimate destination. If the exportation is unloaded at more than one port, Correction Form FT-7403 should indicate the amount (quantity and value) unloaded at each port, and the name and address of each intermediate consignee employed in the transaction.

2. Filing of declaration with manifest. Bureau of Customs regulations provide that whenever any commodities are to be exported for which a declaration is required to be filed, the person in command of the exporting carrier, or the owner or agents thereof on his behalf, shall deliver to the Collector, together with the carrier's manifest, at the port of clearance all authenticated declarations executed by or presented to such persons for the purpose of facilitating or effecting the exportation of such commodities.

(5) *Foreign excess property disposed of by the United States Government.* Where a shipment consists of commodities disposed of by United States Government agencies under foreign excess property disposal programs, the shipper's export declaration shall show in the space provided for the commodity description the following notation:

These commodities are foreign excess property disposed of by the United States Government.

§ 379.10 [Amendment]

5. Section 379.10 *Destination control* is amended in the following particulars:

a. Paragraph (d) is amended to read as follows:

(d) *Notice and prohibition against diversion.* (1) Whenever a commercial invoice shall be issued containing the destination control statement prescribed in paragraph (c) (2) of this section, the shipper or other person issuing such invoice shall promptly send copies thereof to

(i) The ultimate consignee and the purchaser named in the authenticated declaration;

(ii) The intermediate consignee; and
(iii) Any other persons named in the invoice who are located in a foreign country.

Nothing herein contained shall be construed to limit the persons or classes of persons to whom such invoices and bills of lading are usually and customarily sent in the course of export trade. The shipper or other person issuing the commercial invoice may either omit all reference to price or sales commission from the copy of the invoice sent to any of the above-named persons, provided such invoice otherwise adequately identifies the shipment. In lieu of a copy of the commercial invoice, such person may send a copy of the bill of lading containing the destination control statement prescribed in paragraph (c) (2) of this section.

(2) After receiving an invoice, bill of lading, or any other document containing the notification of the prohibition against diversion set forth in one of the destination control statements provided by this § 379.10, or after receiving an oral notification of such prohibition, no person (including the ultimate consignee,

intermediate consignee or on-forwarding carrier) so notified shall divert, transship or reexport or cause to be diverted, transshipped or reexported any commodity described in the document of notification or referred to in the oral notification to any country not authorized in such notification.

b. Paragraph (f) *Unloading of cargo at a port in other than intermediate or ultimate country of destination* is amended by revising the last sentence to read as follows: "Whenever cargo is unloaded at a port in any country other than the intermediate or ultimate destination shown on the declaration because of any of the reasons set forth in this paragraph, except where the cargo may be exported under a general license directly from the United States to such country."

6. Section 382.51 *Supplement 1; Table of denial and probation orders currently in effect*, paragraph (b) *Table of denial and probation orders* is amended in the following respects:

a. The following entries are added to the list:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Engler & Co., Engler, Werner, Stadthausquai 7, Zurich, Switzerland.	2-26-59	Duration-----	General and validated licenses, all commodities, any destination, also exports to Canada. (Parties related to Engler, Ltd., which see.)	24 F.R. 1573, 3-3-59.
Hope International Co., Inc., 79 Wall Street, New York 5, N.Y.	4- 6-59	4-12-59----- (On probation 4-13-59--8-6-59.)*	General and validated licenses, all commodities, any destination, also exports to Canada.	24 F.R. 2309, 3-20-59.
Maag-Fetscherin, Jacob, Stadthausquai 7, Zurich, Switzerland.	2-26-59	Duration-----	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Engler, Ltd., which see.)	24 F.R. 1573, 3-3-59.
Mar Shipping Corp., 16 Beaver Street, New York 4, N.Y.	4- 6-59	4-12-59----- (On probation 4-13-59--8-6-59.)*	General and validated licenses, all commodities, any destination, also exports to Canada.	24 F.R. 2210, 3-20-59.
Nautrup, Theodore Poulsen, Gertrudenkirchhof 10, Hamburg 1, Germany.	1-29-59	Duration-----	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Peter Meyns & Co., which see.)	24 F.R. 742, 2-3-59.

*Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

b. The following entries are amended to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Comptoir Commercial Andre et Cie., 4 bis rue du Bouloi Paris 1, France. Branches at: Bordeaux, Marseille, and Strasbourg, France; Casablanca Morocco; Lausanne, Switzerland.	10-8-58	Indefinite-----	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to CEEI, which see.)	23 F.R. 7931, 10-14-58.
Engler, Ltd., Stadthausquai 7, Zurich, Switzerland.	2-26-59	Duration-----	General and validated licenses, all commodities, any destination, also exports to Canada.	24 F.R. 1573, 2-3-59.

This amendment shall become effective as of April 1, 1959, unless otherwise indicated.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director, Bureau of Foreign Commerce.

[F.R. Doc. 59-3026; Filed, Apr. 9, 1959; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Residues of *S*-(*p*-Chlorophenylthiomethyl) *O,O*-Diethyl Phosphorodithioate

A petition was filed with the Food and Drug Administration by Stauffer Chemical Company, Chauncey, New York, requesting the establishment of tolerances for residues of *S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate in or on certain raw agricultural commodities (January 16, 1959; 24 F.R. 395). The request for tolerances in or on garlic, leeks, and shallots was later withdrawn.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the

Commissioner of Food and Drugs by the Secretary (21 CFR 120.7(g); 23 F.R. 6403), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (23 F.R. 6403) are amended in the following respects:

§ 120.3 [Amendment]

1. Section 120.3 *Tolerances for related pesticide chemicals*, paragraph (e) (5) is amended by changing the first item "*S*-(*p*-chlorophenylthio) methyl *O,O*-diethyl phosphorodithioate" to read "*S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate."

2. Section 120.156 is amended as follows:

a. The section headnote and the introduction to the section are amended to read as follows:

§ 120.156 Tolerances for residues of *S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate.

Tolerances for residues of *S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate in or on raw agricultural commodities are established as follows:

b. In § 120.156, paragraph (c) is amended by adding thereto the items "cucumbers," "figs," "onions (dry bulb)," "onions (green)," "summer squash". As amended, paragraph (c) reads as follows:

(c) 0.8 part per million in or on apples; apricots; beans, snap (succulent form); beans, lima (succulent form); beets, garden (roots); beets, garden (tops); cantaloups; cherries; crab-apples; cucumbers; eggplants; figs; grapes; nectarines; olives; onions (dry bulb); onions (green); peaches; pears;

peas (succulent form); peppers; pimentos; plums (fresh prunes); quinces; soybeans (succulent form); spinach; strawberries; summer squash; tomatoes; watermelons.

c. Section 120.156 is further amended by adding thereto a new paragraph (d), reading as follows:

(d) 0.2 part per million in or on undelinted cottonseed.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: April 7, 1959.

[SEAL]

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 59-3027; Filed, Apr. 9, 1959; 8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Foreign Assets Control

CASHMERE

Notice of Hearing Regarding Importation

Notice is hereby given that Foreign Assets Control will afford all interested parties an opportunity to be heard on April 29, 1959, at 10:00 a.m., with regard to the impact of the Foreign Assets Control Regulations on the importation of cashmere. The hearing will be held in Room 4121 of the Main Treasury Building, 15th Street and Pennsylvania Avenue NW., Washington 25, D.C.

Any person desiring to be heard should notify the Acting Director, Foreign Assets Control, U.S. Treasury Department, Washington 25, D.C., in writing, as soon as possible. Any such person should prepare his statement in writing and three copies of it should be supplied at the time of the hearing.

Any person desiring to submit a statement without appearing or testifying orally may do so by supplying his state-

ment to Foreign Assets Control prior to the time of the hearing.

[SEAL]

ELTING ARNOLD,
Acting Director,
Foreign Assets Control.

[F.R. Doc. 59-3028; Filed, Apr. 9, 1959; 8:47 a.m.]

Office of the Secretary

[Treasury Dept. Order 107, Rev. 6]

AUTHORITY TO AFFIX SEAL OF TREASURY DEPARTMENT

By virtue of the authority vested in me as Secretary of the Treasury, including the authority conferred by section 161 of the Revised Statutes, it is hereby ordered that:

1. Except as provided for in paragraph 2, the following officers are authorized to affix the Seal of the Treasury Department:

¹ The change in the name of this pesticide is not a substantive amendment but is made to conform the nomenclature with that currently used in the industry.

ment in the authentication of originals and copies of books, records, papers, writings, and documents of the Department, for all purposes, including the purposes authorized by 28 U.S.C. 1733(b):

(a) In the Office of Administrative Services:

(1) Director of Administrative Services

(2) Chief, Printing and Office Services Division

(3) Chief, Staff Services Section

(4) Chief, Document Distribution Unit

(b) In the Internal Revenue Service:

(1) Commissioner of Internal Revenue

(2) Director, and Assistant Director, Collection Division

(3) Chief, and Assistant Chief, Collection Operations Branch, Collection Division

(4) Chief, and Assistant Chief, Miscellaneous Services Section, Collection Operations Branch, Collection Division

(c) In the Bureau of Customs:

(1) Commissioner of Customs

(2) Assistant Commissioner of Customs

(3) Deputy Commissioner, Division of Investigations

(4) Deputy Commissioner, Division of Appraisement Administration

(5) Deputy Commissioner, Division of Management and Controls

(d) In the Bureau of the Public Debt:

(1) Commissioner of the Public Debt

(2) Deputy Commissioner in Charge of the Chicago Office

(3) Assistant Deputy Commissioner in Charge of the Chicago Office

2. Copies of documents which are to be published in the FEDERAL REGISTER may be certified only by the officers named in paragraph 1(a) of this order.

3. The Director of Administrative Services, the Commissioner of Internal Revenue Service, and the Commissioner of the Public Debt are authorized to procure and maintain custody of the dies of the Treasury Seal.

The officers authorized in paragraph 1(c) may make use of such dies.

Dated: April 3, 1959.

[SEAL] FRED C. SCRIBNER, Jr.,
Acting Secretary of the Treasury.

[F.R. Doc. 59-3029; Filed, Apr. 9, 1959;
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation SALES OF CERTAIN COMMODITIES April 1959 Monthly Sales List

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on credit sales made in April under the Export Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 4 percent per annum.

For periods over 6 months up to and including 18 months, 4½ percent per annum.

For periods over 18 months up to and including 36 months, 5 percent per annum.

NOTICE TO BUYERS

If CCC does not have adequate information as to the financial responsibility of prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct.

If a prospective buyer is in doubt as to whether CCC is acquainted with his fi-

nancial responsibility he should communicate with the CSS Office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list. Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements which amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are

offered promptly upon appearance by public notice issued by the appropriate CSS Office and therefore generally they do not appear in the Monthly Sales List.

NOTICE TO EXPORT BUYERS

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic, unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

Commodity	Sales price or method of sale
Dairy products.....	All sales are under LD-29 and amendments. All sales are in carlots only. As many as 3 buyers may participate in purchasing a single carlot. Domestic prices: For unrestricted use price is "in store" at storage locations of products. For restricted use price is on the basis of delivery f.o.b. cars at point of use named in offer. CCC will convert to "in store" price as provided in LD-29. Export prices are on the basis of delivery f.a.s. vessel or a buyers option f.o.b. cars point of export. If delivery is to be "in store" CCC will convert to "in store" price as provided in LD-29. During April, Commodity Credit Corporation's sales price for butter and nonfat dry milk for export shall be 7.0 cents per pound for nonfat dry milk and 37.0 cents per pound for butter. <i>Provided, however,</i> That Commodity Credit Corporation's prices for these commodities if used to fulfill contractual commitments with foreign buyers entered into prior to February 1, 1959, shall be the export prices in effect for export sales of these products by Commodity Credit Corporation during the month of January 1959, unless an amendment to such contractual commitment is made providing for a decrease in the respective prices to the foreign buyers equal to the differences between Commodity Credit Corporation's January and April 1959 prices. <i>Provided, further,</i> That Commodity Credit Corporation's prices for these commodities if used to fulfill any contractual commitments entered into prior to February 1, 1959, with U.S. Government Agencies which execute the certificates required by paragraph 11(c) of LD-29, shall be the export prices in effect for export sales of these products by Commodity Credit Corporation during the month of January 1959. Offers to purchase from Commodity Credit Corporation butter and nonfat dry milk for export shall state (1) "Offer is made pursuant to Announcement LD-29 and to the pricing and other conditions set forth in the April 1959 Monthly Sales List published in the FEDERAL REGISTER," (2) whether offer is to fulfill Public Law 480 commitments, and (3) either (a) date of contract of sale to foreign buyer or U.S. Government Agency if such date is prior to February 1, 1959, and whether the sales prices to the foreign buyers have been reduced as required or (b) the exportation of "dairy products purchased will not be pursuant to any sale or contract of sale made prior to February 1, 1959." Submission of Offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Butter.....	Domestic, unrestricted use: 66 cents per pound, New York, Pennsylvania, New Jersey, New England and other States bordering the Atlantic Ocean and Gulf of Mexico. 65½ cents per pound, Washington, Oregon, and California. All other States 65 cents per pound. Domestic, restricted use: For use as an extender for cocoa butter in the manufacture of chocolate and in such a manner as will not displace other dairy products from use in the manufacture of other products made from chocolate, 39 cents per pound. Export, unrestricted use: 37 cents per pound.
Nonfat dry milk (Spray, Roller) as available.	Domestic, unrestricted use: Spray process, U.S. extra grade; in barrels and drums, 16.0 cents per pound; in bags, 15.15 cents per pound. Roller process, U.S. extra grade, in barrels and drums, 14.00 cents per pound; in bags, 13.15 cents per pound. Domestic, restricted use (animal and poultry feed): In barrels, drums, or bags, 10.65 cents per pound. Export, unrestricted use: Spray or roller process, U.S. extra grade. In barrels, drums, or bags, 7.0 cents per pound.
Cheddar cheese: cheddars, flats, twins, rindless blocks (standard moisture basis).	Domestic: 38.0 cents per pound for New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific and Gulf of Mexico. All other States 37.0 cents per pound. Export: 35 cents per pound. Cheese prices are subject to usual adjustments for moisture content.
Cottonseed oil.....	Domestic or Export: Crude: Competitive bid under the terms and conditions of Announcement NO-CS-2 as amended. CCC will not accept any bid of less than 11.00 cents per pound, f.o.b. storage location, basis prime crude as defined in the rules of the National Cottonseed Products Association. Domestic: Refined: Competitive bid under the terms and conditions of Announcement NO-CS-2 as amended. CCC will not accept any bid of less than 12.48 cents per pound, f.o.b. storage location, basis bleachable prime summer yellow as defined in the rules of the National Cottonseed Products Association. Export: Refined: Competitive bid under Announcement to be issued by the New Orleans CSS Commodity Office. Available New Orleans CSS Commodity Office.

See footnotes at end of table.

See footnotes at end of table.

Commodity	Sales price or method of sale												
Grain sorghums, bulk.....	B. For grain sorghums not included under A above: Market price but not less than the 1958 applicable loan rate plus (1) 39 cents per hundredweight if received by truck or 30 cents per hundredweight if received by rail, plus (2) any reductions in effect on May 1, 1958, from the point of storage to the designated terminal. ³ If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per hundredweight (ex-rail or barge): Kansas City, No. 2 or better..... \$2.61 Available Dallas, Portland, and Kansas City CSS Commodity Offices. Export: Under Announcement GR-212 revised, amended, for application to barter contracts and approved credit and emergency sales, and under Announcement GR-368, for Feed Grain Payment-in-Kind Program. Domestic for crushing or export: Market price basis in store but not less than the 1957 basic loan rate for No. 2 grade, basis point of production plus 5 cents per bushel. Market discounts for quality factors will be applied to the basic price to determine the actual minimum sales prices. If delivery is outside the area of production, applicable freight and out-elevation charges at country loading point and in-elevation charges at subterminal or terminal storage point will be added to the above price. Available Evanston, Kansas City, and Minneapolis CSS Commodity Offices. Domestic for crushing or export: Market price basis in store but not less than the 1958-crop support rate for grade No. 1 with 10.6-11.0 moisture. Premiums and discounts provided in loan bulletin to apply to other qualities. Available Portland and Minneapolis CSS Commodity Offices. Domestic: Domestic market price but not less than the following minimum price per cwt. for U.S. No. 1 f.o.b. indicated points of production, amount of paid-in freight to be added as applicable. For other grades, adjust by market differentials.												
Soybeans, bulk 1957 crop (as available).													
Flaxseed, bulk (as available).....													
Dry edible beans (bagged) (as available).													
	<table><tr><th>Class</th><th>Price per hundred-weight</th><th>Area of production</th><th>CSS Commodity Office</th></tr><tr><td>Red kidney.....</td><td>\$8.72</td><td>New York.....</td><td>Evanston.</td></tr><tr><td>Pea.....</td><td>7.61</td><td>Michigan.....</td><td>Evanston.</td></tr></table>	Class	Price per hundred-weight	Area of production	CSS Commodity Office	Red kidney.....	\$8.72	New York.....	Evanston.	Pea.....	7.61	Michigan.....	Evanston.
Class	Price per hundred-weight	Area of production	CSS Commodity Office										
Red kidney.....	\$8.72	New York.....	Evanston.										
Pea.....	7.61	Michigan.....	Evanston.										
Burley tobacco.....	Export: Competitive bids under Announcement GR-376 for the classes offered by the Office listed above. Domestic or export, unrestricted use: Competitive bid and/or fixed prices under the terms and conditions of announcement to be issued. This announcement will cover a limited quantity (about 11 million pounds). Copies of such announcement, when issued, may be obtained from the Tobacco Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C.												
Gum rosin.....	Domestic: Offer and acceptance basis, in galvanized metal drums (averaging 517 pounds net) in the stated quantities and on the designated storage yards, subject to the terms and conditions of Announcement TB-21-59 and supplements thereto which will be issued monthly. Available through the American Turpentine Farmers Assn. Coop., Valdosta, Ga. Export: Competitive bids in storage, subject to Announcement TB-21-59 and supplements thereto.												
Gum turpentine.....	Domestic: Offer and acceptance basis, bulk in tanks, in the stated quantities and in the designated storage tanks subject to the prices, terms and conditions of Announcement TB-21-59 and supplements thereto which will be issued monthly. Available through ATFA, Valdosta, Ga. Export: Competitive bid bulk in storage tanks subject to Announcement TB-21-59 and supplements thereto.												
Tung oil.....	Export: Competitive bid under Announcement CT-OP-10 by Cincinnati CSS Commodity Office.												

¹ At the processor's plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer.

² In those counties in which grain is stored in CCC binsites, delivery will be made f.o.b. buyer's conveyance at bin sites without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements with the warehouse for storage documents.

³ This provision is necessary to insure continuation of CCC sales at terminal locations in their normal ratio to sales at non-terminal locations. The minimum sales prices of these grains at affected locations will be increased by an amount corresponding to any decrease since May 1, 1958, in the freight rates from the point of storage to a designated terminal. CSS Commodity Offices will furnish freight rate information upon request.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427, sec. 208, 63 Stat. 901)

Issued: April 7, 1959.

[SEAL]

WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-3037; Filed, Apr. 9, 1959; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Forest Service has filed an application, Serial No. J-011210, for the withdrawal of the lands described below, from all forms of appropriation including the mining laws, the mineral leasing laws, and laws pertaining to the disposition of materials. The applicant desires

the land for recreational and administrative purposes.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P.O. Box 2511, Juneau, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will

be sent to each interested party of record.

The lands involved in the application are:

Lot 5A of U.S. Survey 2748 and a small unsurveyed parcel described as follows:

Beginning at Corner No. 4 of Lot 10 of U.S.S. 2418; Thence S. 60°00' W., 1.11 chains to line of mean high tide of Sitka Sound; Thence meandering along the mean high tide line of the Sitka Sound in a Northwesterly direction to Corner No. 1 of U.S.S. 2748; Thence N. 56°46' E., 0.77 chains to Corner No. 2 of U.S.S. 2748; Thence S. 73°41' E., 1.544 chains to point of beginning. The total area is 1.86 acres.

WARNER T. MAY,
Operations Supervisor.

[F.R. Doc. 59-3014; Filed, Apr. 9, 1959; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-87]

FARRELL LINES, INC.

Notice of Application and of Hearing

Notice is hereby given of the application of Farrell Lines Incorporated, for written permission of the Maritime Administrator, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, for its owned vessel, the "SS African Patriot", which is under time charter to States Marine Lines to engage in one eastbound intercoastal voyage commencing at United States Pacific ports on or about May 8, 1959, either carrying a full cargo of lumber or lumber products to United States North Atlantic ports or general cargo to United States Gulf ports. This application may be inspected by interested parties in the Office of Government Aid, Maritime Administration.

A hearing on the application has been set before the Acting Maritime Administrator for April 21, 1959, at 9:30 a.m., e.s.t., in Room 4458, General Accounting Office Building, 441 G Street NW, Washington 25, D.C. Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) must, before the close of business on April 20, 1959, notify the Secretary, Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in Rule 5(n) of the rules of practice and procedure, Maritime Administration, petitions for leave to intervene received after the close of business on April 20, 1959, will not be granted in this proceeding.

Dated: April 8, 1959.

[SEAL]

JAMES L. FIMPER,
Secretary.

[F.R. Doc. 59-3071; Filed, Apr. 9, 1959; 11:03 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11757; FCC 59M-439]

TELEVISION BROADCAST STATIONS, EVANSVILLE, IND., AND LOUIS- VILLE, KY.

Order Continuing Hearing

In the matters of amendment of § 3.606, Table of Assignments, Television Broadcast Stations (Evansville, Indiana and Louisville, Kentucky) and order directing Douglas H. McDonald, Trustee, permittee of Television Station WTVW, Channel 7, Evansville, Indiana, to show cause why authorization for Station WTVW, Evansville, Indiana, should not be modified to specify operation on Channel 31 in lieu of Channel 7; Docket No. 11757.

Upon verbal request of both counsel for Douglas H. McDonald, Trustee (WTVW) and counsel for the Broadcast Bureau: *It is ordered*, This 6th day of April 1959, that hearing herein, which is presently scheduled for April 15, 1959, be, and the same is hereby, continued to June 16, 1959, at 10:00 o'clock a.m. in the Commission's offices, Washington, D.C.

Released: April 6, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3031; Filed, Apr. 9, 1959;
8:47 a.m.]

[Docket Nos. 12621 and 12622; FCC 59M-440]

JEANNETTE BROADCASTING CO. AND CARNEGIE BROADCASTING CO.

Order Continuing Hearing

In re applications of John J. Keel and Lloyd W. Dennis, Jr. d/b as Jeannette Broadcasting Company, Jeannette, Pennsylvania; Docket No. 12621, File No. BP-11543; Hoyt C. Murphy and G. Russell Chambers d/b as Carnegie Broadcasting Company, Carnegie, Pennsylvania; Docket No. 12622, File No. BP-11863; for construction permits.

Due to illness of counsel for one of the applicants, and with the concurrence of all other counsel in the proceeding: *It is ordered*, This 6th day of April 1959, that the hearing herein now scheduled for April 7, 1959, be, and the same is hereby, rescheduled for April 22, 1959, at 10:00 o'clock a.m. in the Commission's offices, Washington, D.C.

Released: April 6, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3032; Filed, Apr. 9, 1959;
8:47 a.m.]

[Docket No. 12751; FCC 59M-435]

MALRITE BROADCASTING CO.

Order Continuing Hearing

In re application of Milton Maltz and Robert Wright, d/b as Malrite Broadcasting Co., Tiffin, Ohio; Docket No. 12751, File No. BP-11448; for construction permit.

Pursuant to prehearing conference held in the above-entitled proceeding on this date: *It is ordered*, This 3d day of April 1959, that the hearing herein, which is presently scheduled for April 8, 1959, be, and the same is hereby, continued to April 30, 1959, at 2:00 o'clock p.m. in the offices of the Commission, Washington, D.C.

Released: April 6, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3033; Filed, Apr. 9, 1959;
8:47 a.m.]

[Docket No. 12822]

OX-WALL MANUFACTURING CO., INC.

Order Assigning Matter for Public Hearing

In the matter of cease and desist order to be directed to Ox-Wall Manufacturing Company, Inc., Oxford, New Jersey; Docket No. 12822.

The Commission having under consideration the issuance of an order pursuant to section 312(b) of the Communications Act of 1934, as amended, to Ox-Wall Manufacturing Company, Inc., Oxford, New Jersey, (1) to cease and desist from operating industrial heating equipment so as to cause interference to authorized radio communications; and (2) irrespective of whether such interference is caused to authorized radio communications, to cease and desist from operating industrial heating equipment without a proper certificate or license as required by Part 18 of the rules of the Federal Communications Commission: and

It appearing that the Ox-Wall Manufacturing Company, Inc. operates in its plant at Oxford, New Jersey certain industrial heating equipment which utilizes a radio frequency generator or generators and transmits radio frequency energy on frequencies authorized for use by television broadcast stations and on frequencies authorized for the use of air navigation radio aids of the Federal Aviation Agency; and

It further appearing that said industrial heating equipment is subject to the provisions of Part 18 of the Commission's rules (47 CFR Part 18); and

It further appearing that the aforementioned industrial heating equipment causes interference to authorized television broadcast reception at Oxford, New Jersey; and is potentially a source of interference to air navigation radio aids of the Federal Aviation Agency; and

It further appearing that the aforementioned industrial heating equipment has not been certified by a duly qualified engineer as required by § 18.103 of the Commission's rules, nor has the equipment been licensed pursuant to § 18.3 and Subpart D of Part 18 of the Commission's rules; and

It further appearing that the above facts have been called to the attention of the Ox-Wall Manufacturing Company, Inc. by the Commission both orally and in writing, and that the Ox-Wall Manufacturing Company, Inc. has been afforded an opportunity to demonstrate or achieve compliance with all lawful requirements but such demonstration has not been made and such compliance has not been accomplished; and

It further appearing that the safety of life or property is involved;

It is ordered, This 6th day of April, 1959, pursuant to section 312 of the Communications Act of 1934, as amended, 47 U.S.C. 312, and section 0.41(f) of the rules of the Federal Communications Commission that Ox-Wall Manufacturing Company, Inc., Oxford, New Jersey, its officers, agents, employees, privies, assigns, successors in interest, or other parties acting in concert with Ox-Wall Manufacturing Company, Inc. (1) cease and desist from operating industrial heating equipment so as to cause interference to authorized radio communications; and (2), irrespective of whether such interference is caused to authorized radio communications, cease and desist from operating industrial heating equipment without a proper certificate or license as required by Part 18 of the rules of the Federal Communications Commission; and

It is further ordered, That a hearing in this matter be held before Commission Hearing Examiner James D. Cunningham at the U.S. Courthouse, Foley Square in New York, New York at 10:00 a.m. on the 23d day of April 1959, in order to determine whether said cease and desist order should be issued, and that the Ox-Wall Manufacturing Company, Inc. is herewith called upon to appear at this hearing and give evidence upon the matters specified herein; and

It is further ordered, Pursuant to § 1.62 of the rules, that Ox-Wall Manufacturing Company, Inc. is directed to file with the Commission within 10 days of the receipt of this Order a written appearance in triplicate, stating that the Ox-Wall Manufacturing Company, Inc. will appear and present evidence on the matter specified in this Order. If the Ox-Wall Manufacturing Company, Inc. does not desire to avail itself of its opportunity to appear before the Commission and give evidence on the matters specified herein, it shall, within 10 days of the receipt of this Order, file with the Commission, in triplicate, a written waiver of hearing. Such waiver may be accompanied by a statement of the reasons why Ox-Wall Manufacturing Company, Inc. believes that a cease and desist order should not issue; and

It is further ordered, That failure of said Ox-Wall Manufacturing Company, Inc. timely to respond to this Order or

its failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: April 7, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-3034; Filed, Apr. 9, 1959;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3779]

UNION COLLIERY CO.

Notice of Proposed Reduction of Stated Capital and Proposed Pay- ment of a Partial Liquidating Divi- dend

APRIL 3, 1959.

Notice is hereby given that Union Colliery Company ("Colliery"), a subsidiary of Union Electric Company ("Union"), a registered public-utility holding company, has filed a declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, designating sections 6(a), 7, and 12(c) of the Act and Rule 46 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Colliery proposes to reduce its stated capital by \$550,000 by changing the par value of its 12,500 outstanding shares of capital stock, all of which are owned by Union, from \$100 per share to \$56 per share and also proposes to pay to Union a partial liquidating dividend of \$550,000 in cash to be charged to the capital surplus created by the reduction in the par value of its capital stock.

Colliery ceased its operations in June 1958 following the sale of its coal mine, including equipment and buildings, near DuQuoin, Illinois to Truax-Traer Coal Company, a nonaffiliated company, and its coal reserves in Perry and Jackson Counties, Illinois to United Electric Coal Companies, a nonaffiliated company. Under the agreements of sale, \$1,074,044 was paid by the purchasers on June 2, 1958, with the balance of \$535,500 due from United Electric Coal Companies on March 1, 1959. Although Colliery continues to hold extensive coal reserves in Gallatin County, Illinois, there are no present plans to develop these reserves, and it is considered unlikely that Colliery will resume operations in the foreseeable future.

The proposed reduction in stated capital is equivalent to the estimated excess cash which Colliery has over and above that required for the payment of its obligations and foreseeable requirements. Receipt of the partial liquidating dividend by Union will permit the investment of such funds in the Union System's continuing construction program. Union will record said cash dividend on its books by increasing its cash account and by reducing its investment in Colliery by a like amount.

No. 70—4

The filing states that there will be no costs incident to the proposed transactions, other than nominal expenses, and that no State commission and no Federal commission, other than this Commission, has jurisdiction over said transactions.

Notice is further given that any interested person may, not later than April 20, 1959, at 5:30 p.m., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the declaration, as amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 59-3016; Filed, Apr. 9, 1959;
8:45 a.m.]

[File No. 70-3780]

EAST OHIO GAS CO.

Notice of Filing Regarding Proposed Acquisition of Utility Assets

APRIL 3, 1959.

The East Ohio Gas Company ("East Ohio"), a wholly-owned subsidiary of Consolidated Natural Gas Company, a registered holding company, has filed with this Commission an application and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 9 and 10 thereof as applicable to the following proposed transaction.

East Ohio proposes to acquire the natural gas distribution properties owned by the City of Painesville, Ohio, located within the City corporate limits consisting of about 276,000 feet of distribution mains, 3,765 service lines, 3,765 meters, 9 regulator stations, a compressor and storage ball, and incidental materials and supplies. The base purchase price for the natural gas distribution properties is \$747,273. To this amount will be added about \$35,200 for additions to such properties after January 1, 1958, to the date of purchase and about \$20,600, the estimated cost to Painesville of materials and supplies on hand at the date of purchase.

It is stated that Painesville is located in the midst of the territory along the eastern shore of Lake Erie, an area presently being served by East Ohio. Upon the consummation of the acquisition the rates to consumers in Painesville for the five years following the purchase date will be reduced approximately 9 percent

below the rates presently being charged by Painesville.

It is stated that East Ohio proposes to record the utility plant on its books at an amount representing the reproduction cost new as found by the engineering staff of The Public Utilities Commission of Ohio as of December 31, 1957, adjusted to the time of closing for net book additions since that date, and to provide a depreciation reserve against such amount equal to the excess of such amount over the purchase price to be paid so that the net carrying amount on the books of East Ohio will correspond with such purchase price. On the basis of figures as of that date plus estimated net additions to the date of closing and materials and supplies on hand, the gross carrying amount would total \$1,127,552, the depreciation reserve would amount to \$345,079 and materials and supplies would be stated at \$20,000, the net equivalent of the estimated purchase price of \$802,473. The proposed accounting treatment is in accordance with the accounting regulation of The Public Utilities Commission of Ohio, which has jurisdiction with respect thereto. It is stated that no commission other than this Commission has jurisdiction over the proposed acquisition.

It is stated that no fees, commissions or expenses are proposed to be incurred by East Ohio in connection with the proposed transaction, other than a legal fee estimated at \$1,500 to Jones, Day, Cockley & Reavis.

Notice is further given that any interested person may, not later than April 21, 1959 at 5:30 p.m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues of fact or law, if any, raised by said filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the amended application as now filed or as further amended, may be granted as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100 or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 59-3017; Filed, Apr. 9, 1959;
8:45 a.m.]

[File No. 70-3781]

ALABAMA POWER CO.

Notice of Proposed Issuance and Sale at Competitive Bidding of First Mortgage Bonds; Issuance of First Mortgage Bonds for Sinking Fund Purposes

APRIL 3, 1959.

Notice is hereby given that Alabama Power Company ("Alabama"), an ex-

empt holding company and a public-utility subsidiary of The Southern Company, a registered holding company, has filed with this Commission an application pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 thereunder as applicable to the proposed transactions, which are summarized as follows:

Alabama proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, \$20,000,000 principal amount of first Mortgage Bonds, — percent Series due 1989. The interest rate (to be a multiple of one-eighth of 1 percent) and the price to be paid to Alabama (to be not less than 99 percent nor more than 102½ percent of the principal amount thereof and accrued interest) will be determined by competitive bidding. The bonds will be issued under an Indenture dated as of January 1, 1942, between Alabama and Chemical Corn Exchange Bank, as Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated May 1, 1959.

The proceeds from the sale of bonds are to be applied toward the construction or acquisition of permanent improvements, extensions and additions to Alabama's properties.

Alabama also proposes to issue, on or prior to June 1, 1959, \$2,326,000 principal amount of First Mortgage Bonds, 4½ percent Series due 1987, under the provisions of the above described indenture, and to surrender such bonds to the Trustee in accordance with the improvement fund provisions thereof. The bonds are to be identical with those authorized by the Commission on April 30, 1957 (File No. 70-3577), and are to be issued on the basis of property additions thus making available for construction purposes cash which would otherwise have to be used to satisfy sinking fund requirements or to purchase bonds for such purpose.

The fees and expenses to be incurred in connection with the proposed issuance and sale of bonds at competitive bidding are to be supplied by amendment. The fees and expenses to be paid in connection with the issuance of bonds for sinking fund purposes are estimated as follows: \$750 charges of Trustee (including counsel), \$500 fee of company counsel and \$500 miscellaneous.

The proposed transactions have been authorized by the Alabama Public Service Commission. It is represented that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 20, 1959 at 5:30 p.m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At

any time after said date the application, as filed or as amended, may be granted as provided in Rule 23 of the rules and regulations promulgated under the Act; or the Commission may exempt such transactions as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate under the circumstances.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 59-3018; Filed, Apr. 9, 1959;
8:45 a.m.]

[File No. 811-659]

CIVIL AND MILITARY INVESTORS MUTUAL FUND, INC.

Notice of and Order for Hearing Concerning Corporate Name

APRIL 3, 1959.

Notice is hereby given that Civil and Military Investors Mutual Fund, Inc. ("Applicant"), a registered open-end diversified management investment company, has filed an application under the Investment Company Act of 1940 ("Act"), for modification of the Commission's Order dated June 9, 1958 (Investment Company Act Release No. 2723). By Findings, Opinion and Order dated June 9, 1958, the Commission found and declared that the name Civil and Military Investors Mutual Fund, Inc., and specifically the words "Civil and Military Investors" therein were deceptive and misleading in violation of section 35(d) of the Act, as implying that Applicant's securities had special investment and other advantages for civilian and military government personnel that did not in fact exist.

Applicant filed its Notification of Registration under the Act on November 15, 1954, under the name Government Personnel Mutual Fund, Inc. In November 1955 it filed its registration statement under the Securities Act of 1933 with respect to an offering of 300,000 shares of its stock, in which it represented that it proposed to limit the sale of such stock to personnel of the Federal, State or local governments, including military personnel, or to organizations of such personnel.

In January 1956 the Applicant changed its name to The Private Investment Fund for Governmental Personnel, Inc. and thereafter proceedings were instituted by the Commission to determine whether such name was deceptive or misleading within the scope of sections 35(a) and 35(d) of the Act. These proceedings culminated in a Findings, Opinion and Order of the Commission, dated January 18, 1957 (Investment Company Act Release No. 2474), in which it was found, among other things, that such name implied to the civilian and military personnel of the United States the approval by the United States of the registrant company or its securities in violation of sections 35(a) and 35(d) of the Act. It was further found that the name implied that the company had some par-

ticular investment or other advantage for the government employee or serviceman not obtainable by the general public, which implication rendered the name misleading and deceptive within the meaning of section 35(d) of the Act.

Applicant adopted its present corporate name on March 22, 1957, and, thereafter, proceedings were instituted to determine whether such name was deceptive or misleading, which culminated in the Commission's order of June 9, 1958. In support of its application for modification of said order, Applicant states that additional evidence has become available respecting the issues raised by its name and that changes have been made in the terms of its offering. These changes, in general, are that sales of its shares will be restricted to employees of the Federal, State or local government and members of the Armed Forces of the United States, and that no sales load will be made in connection with the sale of its shares.

It appearing to the Commission that it is in the public interest and the interest of investors that a hearing be held for the purpose of considering whatever additional evidence Applicant or any other interested person may wish to offer in connection with the various matters hereinafter set forth, and for the purpose of determining what modification, if any, should be made in the order issued by the Commission pursuant to section 35 of the Investment Company Act of 1940 on June 9, 1958;

Wherefore it is ordered, That a hearing under the applicable provisions of the Investment Company Act of 1940 and the rules of the Commission thereunder be held on April 20, 1959, at 10:00 a.m., in the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D.C. At such time the Hearing Room Clerk will advise as to the room in which such hearing will be held. At such hearing consideration will be given to the following matters and questions, without prejudice, however, to the specification of any additional issues which may be presented by the use of such corporate name;

(1) Whether the special investment or other advantages for civilian and government personnel to whom sales are to be restricted, as implied by Applicant's corporate name, will in fact exist, and if not, whether such corporate name continues to be deceptive or misleading within the meaning of section 35(d) of the Act.

(2) What modification, if any, should be made in the Commission's order of June 9, 1958, with respect to the use of such name or any words in such name, pursuant to the applicable provisions of the Act.

It is further ordered, That Sidney L. Feiler, or any officer or officers of the Commission designated by it for that purpose, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Investment Company Act of 1940 and to a hearing officer under the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall give notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to Civil and Military Investors Mutual Fund, Inc., 1033 30th Street NW., Washington, D.C., and that notice to all persons shall be given by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

It is further ordered, That any person desiring to be heard in said proceedings, shall file with the Secretary of the Commission his application as provided by Rule XVII of the rules of practice, on or before the date provided in that rule, setting forth any issues of law or facts which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 59-3019; Filed, Apr. 9, 1959;
8:45 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property ENTE NAZIONALE INDUSTRIE CINEMATOGRAFICHE

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Ente Nazionale Industrie Cinematografiche "ENIC", Via Mercadante 36, Rome, Italy. Claim No. 40277; Vesting Order Nos. 1417, 1759, and 3943. \$6,818.29 in the Treasury of the United States.

Executed at Washington, D.C., on April 3, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 59-3024; Filed, Apr. 9, 1959;
8:46 a.m.]

ELISABETH MAYER

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following prop-

erty, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Elisabeth Mayer, Ulrichsberg 2, Muehlviertel, Austria. \$2,985.60 in the Treasury of the United States.

Max Hoffelner, 167 Eberstaedterstrasse, Pfungstadt, Germany. \$8,399.86 in the Treasury of the United States.

Vesting Orders Nos. 7193 and 11877. Claim Nos. 43936 and 45966.

Executed at Washington, D.C., on March 31, 1959.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 59-3025; Filed, Apr. 9, 1959;
8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), Administrative Order No. 485 (23 F.R. 200) and Administrative Order No. 507 (23 F.R. 2720), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

A. C. M. Co., Winder, Ga.; effective 3-25-59 to 3-24-60 (men's and boys' dress trousers).
Cornelia Garment Co., 107 Chattahoochee Street, Cornelia, Ga.; effective 4-11-59 to 4-10-60 (boys' sport shirts and pants; men's work shirts).

Perry Manufacturing Co., Mount Airy, N.C.; effective 4-14-59 to 4-13-60 (brassieres, sportswear).

Terre Hill Manufacturing Co., Inc., Blue Ball, Pa.; effective 4-1-59 to 3-31-60; workers engaged in the production of slips and nightgowns of woven fabric.

Tioga Sportswear Corp., 69 Alden Street, Fall River, Mass.; effective 3-27-59 to 3-26-60 (men's and boys' sport jackets).

Russell Williams Co., 418-28 West Mahanoy Avenue, Mahanoy City, Pa.; effective 4-4-59 to 4-3-60 (ladies' dresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Eileen Hope, Inc., Liverpool, Pa.; effective 3-25-59 to 3-24-60; 10 learners (women's cotton dresses).

Murcel Manufacturing Co., Glennville, Ga.; effective 3-27-59 to 3-26-60; 10 learners (nurses' uniforms).

Piedmont Blouse Co., Inc., 321 South Davis Street, Greensboro, N.C.; effective 3-30-59 to 2-29-60; 10 learners (ladies' and children's cotton slips).

Robville Manufacturing Co., Robersonville, N.C.; effective 3-27-59 to 3-26-60; 10 learners (children's slacks, shirts and sportcoats).

Saf-T-Bak, Inc., 1715 11th Avenue, Altoona, Pa.; effective 4-1-59 to 3-31-60; 10 learners (men's and boys' cotton hunting and fishing clothes).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Blue Ridge Manufacturers, Inc., Petersburg, Va.; effective 3-30-59 to 9-29-59; 70 learners (girls' and women's jeans).

Elbar Garment Co., Louisiana, Mo.; effective 3-30-59 to 9-29-59; 15 learners (ladies' cotton sleepwear).

Robville Manufacturing Co., Robersonville, N.C.; effective 3-27-59 to 3-26-60; 25 learners (children's slacks, shirts and sportcoats).

Selro Manufacturing Co., Washington Street Extended, 113 Gay Street, Cambridge, Md.; effective 3-24-59 to 9-23-59; 10 learners (women's sportswear).

Henry I. Siegel Co., Inc., Hohenwald, Tenn.; effective 3-23-59 to 9-22-59; 30 learners (work shirts and pants).

Twin City Manufacturing Co., Twin City, Ga.; effective 3-30-59 to 9-29-59; 25 learners (men's dress and sport shirts).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.65, as amended).

Jasper Glove Co., Inc., 611 Main Street, Jasper, Ind.; effective 3-30-59 to 3-29-60; 10 learners for normal labor turnover purposes (leather and cotton combination work gloves).

Wells Lamont Corp., Hugo, Okla.; effective 4-1-59 to 3-31-60; 10 percent of the total number of machine stitchers for normal labor turnover purposes (leather palm work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.43, as amended).

Kosciusko Hosiery Mills, Kosciusko, Miss.; effective 4-1-59 to 9-30-59; 20 learners for plant expansion purposes (ladies' seamless nylons).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Terre Hill Manufacturing Co., Inc., Plant No. 2, Terre Hill, Lancaster County, Pa.; effective 4-1-59 to 3-31-60; 5 percent of the total number of factory production workers engaged in the production of slips and nightgowns of knitted fabric for normal labor turnover purposes.

Van Raalte Co., Inc., Bryson City, N.C.; effective 3-27-59 to 9-26-59; 23 learners for

plant expansion purposes (ladies' nylon or rayon underwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Hart Schaffner and Marx, 728 West Jackson Boulevard, Chicago, Ill.; effective 3-30-59 to 9-29-59; 3 percent of the total number of factory production workers for normal labor turnover purposes in the production of men's and boys' clothing only in the occupations of, sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours.

Southern Handkerchief Manufacturing Co., Main and Hammond Streets, Greenville, S.C.; effective 3-30-59 to 9-29-59; 3 learners for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rates of at least 90 cents an hour for the first 160 hours and not less than 95 cents an hour for the remaining 160 hours (hemstitched handkerchiefs).

Wagenvoort and Co., 306 North Grand Avenue, Lansing, Mich.; effective 4-1-59 to 9-30-59; three learners for normal labor turnover purposes in the single occupation of bindery worker for a learning period of 320 hours at the rates of at least 85 cents an hour for the first 160 hours and not less than 92½ cents an hour for the remaining 160 hours (rebinding of library books).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Applique Inc., 205 East McKinley Street, Mayaguez, P.R.; effective 3-11-59 to 9-10-59; 106 learners for plant expansion purposes in the occupations of: (1) machine embroidery operators for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 62 cents an hour for the remaining 240 hours; (2) hand cutting operation (applique cutters) for a learning period of 240 hours at the rates of 53 cents an hour for the first 160 hours and 62 cents an hour for the remaining 80 hours (machine applique embroidery).

Caribe Seat Cover Corp., Bayamon, P.R.; effective 3-10-59 to 9-9-59; 25 learners for plant expansion purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the remaining 240 hours (automobile seat covers).

Comerio Shoe Corp., Comerio, P.R.; effective 3-9-59 to 9-8-59; 25 learners for plant expansion purposes in the occupation of machine stitchers: side vamping, two needle machine; side zig-zag; french cord binding; space row; close back; back stay; counter pocket, each for a learning period of 480 hours at the rates of 46 cents an hour for the first 240 hours and 51 cents an hour for the remaining 240 hours (shoes).

Contessa, Inc., San Juan, P.R.; effective 3-4-59 to 3-3-60; 12 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 62 cents an hour for the remaining 240 hours (ladies' underwear).

Eastern Watch Co., Ltd., Bayamon, P.R.; effective 3-2-59 to 9-1-59; 200 learners for plant expansion purposes in the occupations of assembly and subassembly of watches, inspectors each for a learning period of 480

hours at the rates of 66 cents an hour for the first 240 hours and 77 cents an hour for the remaining 240 hours (watches).

Eastern Watch Co., Ltd., Bayamon, P.R.; effective 3-13-59 to 9-1-59; 200 learners for plant expansion purposes in the occupations of assembly and subassembly of watches, inspectors, each for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (replacement certificate; watches).

International Molded Plastics of Puerto Rico, Inc., Santurce, P.R.; effective 2-19-59 to 2-18-60; 10 learners for normal labor turnover purposes in the occupations of: (1) preformers, molders, buffers, and sanders each for a learning period of 200 hours at the rate of 75 cents an hour; (2) inspectors for a learning period of 160 hours at the rate of 75 cents an hour (plastic dinnerware).

Lisa, Inc., Urb. Industrial Hato Rey, Lot No. 5, Roosevelt, P.R.; effective 3-9-59 to 3-8-60; 10 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

Lisa, Inc., Urb. Industrial Hato Rey, Lot No. 5, Roosevelt, P.R.; effective 3-9-59 to 9-8-59; 40 learners for plant expansion purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

Santiago R. Palmer Needletrade, 99 Luna Street, San German, P.R.; effective 3-12-59 to 9-11-59; 215 learners for plant expansion purposes in the occupations of: (1) machine embroidery operators, for a learning period of 480 hours at the rates of 53 cents an hour for the first 240 hours and 62 cents an hour for the remaining 240 hours; (2) handcutting operation (applique cutters) for a learning period of 240 hours at the rates of 53 cents an hour for the first 160 hours and 62 cents an hour for the remaining 80 hours (machine applique embroidery).

Pedro Ochoa, Sucr., Inc., Caguas, P.R.; effective 3-2-59 to 9-1-59; 75 learners for plant expansion purposes in the occupations of sewing machine operators and final pressers, each for a learning period of 480 hours at the rates of 58 cents an hour for the first 240 hours and 68 cents an hour for the remaining 240 hours (ladies' shorts and slacks; girls' skirts).

Ponce Narrow Fabric Mills, Inc., Arroyo, P.R.; effective 2-27-59 to 2-26-60; 13 learners for normal labor turnover purposes in the occupations of weaving, quilling and skeining, twisting and harnessing, blocking and warping, each for a learning period of 240 hours at the rate of 50 cents an hour (weaving of narrow fabrics).

Simplex Precast Industries Inc., Luchetti Development, Bayamon, P.R.; effective 3-6-59 to 9-5-59; 12 learners for plant expansion purposes in the occupations of pressman (tile press operator), dryer-kiln operator, and polisher (surface finisher), each for a learning period of 320 hours at the rates of 75 cents an hour for the first 160 hours and 88 cents an hour for the remaining 160 hours (terrazzo tile).

Stadium Manufacturing Company of Puerto Rico, Inc., Villalba, P.R.; effective 2-21-59 to 2-20-60; 16 learners for normal labor turnover purposes in the occupations of sewing machine operators (single and double needle), and final pressing, each for a learning period of 480 hours at the rates of 54 cents an hour for the first 240 hours and 63 cents an hour for the remaining 240 hours (men's pajamas).

Vega Alta Corp., Vega Alta, P.R.; effective 3-16-59 to 2-5-60; 40 learners for normal labor turnover purposes in the occupations of assembly operators, bench operators, drill

press operators, grinding operators, heat treat operators, lapping machine operators, inspection operators, punch press operators, plastic molding operators, auto screw machine operators, welding machine operator, straightener operator, milling machine operator, apprentice tool maker, and plating operators, each for a learning period of 480 hours at the rates of 80 cents an hour for the first 240 hours and 90 cents an hour for the remaining 240 hours (replacement certificate; electric shavers).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 2d day of April 1959.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F.R. Doc. 59-3015; Filed, Apr. 9, 1959;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 7, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35346: *Cotton, southwestern points to Oklahoma points.* Filed by Southwestern Freight Bureau, Agent (No. B-7523), for interested rail carriers. Rates on cotton, noibn, in bales, carloads, and burnt cotton in bales, carloads from specified points in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas, also Memphis, Tenn., to Altus, Chickasha, Frederick and Oklahoma City, Okla.

Grounds for relief: Short-line distance formulas.

Tariff: Supplement 51 to Southwestern Freight Bureau tariff I.C.C. 4268.

FSA No. 35347: *Synthetic plastics—Southwest to official territory.* Filed by Southwestern Freight Bureau, Agent (No. B-7455), for interested rail carriers. Rates on plastics, synthetic, in packages or in bulk, carloads; also plastics, synthetic, sheets not woven, or rods, carloads from points in Arkansas, Louisiana (west of the Mississippi River), southern Missouri, New Mexico, Okla-

homa, and Texas to points in official (including Illinois), territory.

Grounds for relief: Short-line distance formulas, application of rates through points in higher-rated intermediate territories.

Tariffs: Supplement 25 to Southwestern Freight Bureau tariff I.C.C. 4300. Supplement 47 to Southwestern Freight Bureau tariff I.C.C. 4301.

FSA No. 35348: *Bagasse, sugar cane pith in western territories.* Filed by Southwestern Freight Bureau, Agent (No. B-7526), for interested rail carriers. Rates on bagasse (crushed sugar cane refuse), bagasse pith or sugar cane pith, dehydrated, carloads from, to, and between points in the Southwest, and from points in southwestern and southern territories to points in western trunk-line territory.

Grounds for relief: Short-line distance formulas, grouping, and application of rates through points in higher-rated intermediate territories.

Tariffs: Supplement 25 to Southwestern Freight tariff I.C.C. 4300 and two other schedules.

FSA No. 35349: *Liquefied petroleum gas from and to points in Colorado and Wyoming.* Filed by Western Trunk Line Committee, Agent (No. A-2048), for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads from Denver, Colo., Casper, Wyo., and other specified points in Colorado and Wyoming to points in Colorado and Wyoming.

Grounds for relief: Distance scales of rates.

Tariffs: Supplement 27 to Western Trunk Line Committee tariff I.C.C. A-4240, and other schedules of individual lines described in the application.

FSA No. 35350: *Grain and grain products—western points to Port Arthur, Tex.* Filed by Missouri-Kansas-Texas Railroad Company, Agent (No. 36), for interested rail carriers. Rates on grains and grain products, also soybeans, carloads from specified origins in Missouri on the Missouri-Kansas-Texas Railroad to Port Arthur, Tex., for export and coastwise movement.

Grounds for relief: Maintenance of rate relations with New Orleans, La.

Tariff: Supplement 15 to Missouri-Kansas-Texas Railroad Company tariff I.C.C. 1732.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-3020; Filed, Apr. 9, 1959;
8:46 a.m.]

[Notice 108]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 7, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested per-

son may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61850. By order of March 31, 1959, the Transfer Board approved the transfer to Frank W. Gropman, doing business as Fries Towing of Brighton, Mass., of Certificates Nos. MC 100458 and MC 100458 Sub 1, issued October 20, 1949, and January 23, 1952, respectively, in the name of Fries, Inc., Boston, Mass., authorizing the transportation of disabled motor vehicles, over irregular routes, between Boston, Mass., on the one hand, and points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, on the other; between points in Massachusetts, within 50 miles of Boston, not including Boston, on the one hand, and, on the other points in Maine, Massachusetts, New Hampshire, Vermont, Rhode Island, and Connecticut; and between Boston and points in Massachusetts within 50 miles of Boston, on the one hand, and, on the other, points in New York. Jacob Whitkin, 294 Washington Street, Boston 8, Mass.

No. MC-FC 62032. By order of April 2, 1959, the Transfer Board approved the transfer to Dallas L. Corbet, R.F.D. No. 2, Robinson, Kansas, of Certificate in No. MC 130, issued September 5, 1958, to Buell Aller and Dallas L. Corbet, Route 2, Hiawatha, Kansas, authorizing the transportation of: Livestock, from Hiawatha, Kans., to St. Joseph, Mo., serving intermediate and off-route points within 8 miles of Hiawatha, restricted to pick-up only; and livestock, lumber, shingles, groceries, feed and farm machinery from St. Joseph, Mo., to Hiawatha, Kans., serving intermediate and off-route points within 8 miles of Hiawatha, restricted to delivery only.

No. MC-FC 62074. By order of March 31, 1959, the Transfer Board approved the transfer to Donald R. Bramley of Certificate No. MC 110621, issued July 26, 1951, to Irving S. Campbell, authorizing the transportation of: Commodities classified as dairy products from Andes, N.Y., to New York, N.Y., and points in New York and New Jersey within 25 miles of City Hall, New York, N.Y.; veneering (wood) from Fleischmanns, N.Y., to New York, N.Y., and points in New York and New Jersey within 25 miles of City Hall, New York, N.Y.; lumber from points in Delaware County, N.Y., to New York, N.Y., and points in New York and New Jersey within 25 miles of City Hall, New York, N.Y.; farm products from points in Delaware County, N.Y., to New York, N.Y., and points in New York and New Jersey within 25 miles of City Hall, New York, N.Y., and Philadelphia, Pa., Baltimore, Md., and Boston, Mass.; coal from Scranton, Pa., and points within 15 miles of Scranton to Andes, N.Y., and points

within 10 miles of Andes; fertilizer from Carteret, Jersey City, and Kearny, N.J., to Andes, N.Y., and points in New York within 25 miles of Andes; and lime from Lee, Mass., and Newton, N.J., to Andes, N.Y., and points within 15 miles of Andes. John D. Crocker, Attorney, % Rushmore, Mason, Marcus and Crocker, Delhi, New York.

No. MC-FC 62080. By order of March 31, 1959, the Transfer Board approved and authorized the transfer to Goetz Moving & Storage, Inc., Brooklyn, N.Y., of a certificate in No. MC 78332, issued February 9, 1959, to Harold Goetz, doing business as Goetz Moving & Storage Co., Brooklyn, N.Y., authorizing the transportation of household goods, as defined by the Commission, and loft and factory equipment and stock, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Connecticut and New Jersey. Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, New York.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-3021; Filed, Apr. 9, 1959;
8:46 a.m.]

[No. 32808]

OREGON

Intrastate Freight Rates and Charges

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 23d day of March A.D. 1959.

It appearing that in the Ex Parte proceedings listed in the Appendix hereto, the Commission authorized carriers subject to the Interstate Commerce Act parties thereto to make certain increases in their freight rates and charges for interstate application throughout the United States, and that increases under such authorizations have been made;

It further appearing that a petition, dated January 15, 1959, has been filed on behalf of the Great Northern Railway Company and other common carriers by railroad operating to, from, and between points in the State of Oregon, averring that the Public Utility Commissioner of Oregon has failed to authorize or permit petitioners to apply to their intrastate rates on the commodities specified in the Appendix hereto, increases corresponding to those approved for interstate application in the Ex Parte proceedings above referred to, as more fully set forth in the petition; alleging that such refusal causes and results in undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate and foreign commerce, on the other hand, and in undue, unreasonable and unjust discrimination against and undue burden on interstate and foreign commerce in violation of section 13 of the Interstate Commerce Act;

And it further appearing that there have been brought in issue by the said petition rates and charges made or im-

posed by authority of the State of Oregon:

It is ordered. That in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Oregon, for the intrastate transportation of the commodities specified in the Appendix hereto, made or imposed by the State of Oregon, cause or will cause, by reason of the failure of such rates and charges to include increases corresponding to those permitted by this Commission for interstate traffic in the Ex Parte proceedings set out in the said Appendix hereto, any undue or unreasonable advantage, preference or prejudice, as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable or unjust discrimination against, or undue burden on, interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum, rates and charges shall be prescribed to

remove the unlawful advantage, preference, prejudice, discrimination, or undue burden, if any, that may be found to exist:

It is further ordered. That all common carriers by railroad operating within the State of Oregon, subject to the jurisdiction of this Commission, be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of the said respondents, and that the State of Oregon be notified of the proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the Public Utility Commissioner of Oregon, at Salem, Oreg.

It is further ordered. That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D.C., for public inspection, and by filing a copy with the Federal Register Division, Washington, D.C.

And, it is further ordered. That this proceeding be assigned for hearing at such time and place as the Commission may hereafter designate.

By the Commission, Division 2.

[SEAL]

HAROLD D. McCoy,
Secretary.

APPENDIX

COMMODITIES AND CHARGES EXCEPTED FROM APPLICATION OF EX PARTE INCREASES ON OREGON INTRASTATE TRAFFIC:

Ex Parte No. 196-A, Increased Freight Rates, 1956, 298 I.C.C. 279

Fruits, fresh (not cold pack or frozen) moving to processing plants.

Limestone, agricultural, including limestone flour.

Limestone, broken, crushed or ground.

Vegetables, fresh or green (not cold pack nor frozen) moving to processing plants.

Ex Parte No. 206-A, Increased Freight Rates, Eastern and Western Territories, 1956; Increased Freight Rates Eastern, Western and Southern Territories, 1956-1957, 299 I.C.C. 429; 299 I.C.C. 557 and 300 I.C.C. 633

Limestone, agricultural.

Limestone, broken, crushed or ground.

Limestone, flour.

Logs, including pulpwood logs (see note 1).

Sugar beets.

Wood chips, including pulpwood chips (see note 1).

NOTE 1: When moving under contract rates, apply increase of 9 percent (Table 3).

Ex Parte No. 212, Increased Freight Rates, 1958, 302 I.C.C. 665 and 304 I.C.C. 289

All commodities and charges described.

[F.R. Doc. 59-3022; Filed, Apr. 9, 1959; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—APRIL

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